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AN HISTORICAL AND CRITICAL
A C C O U N T
OF THE
L I F E
O F

CHARLES the SECOND,
KING OF GREAT BRITAIN.

After the Manner of Mr. BAYLE.

Drawn from ORIGINAL WRITERS and STATE PAPERS.

TO WHICH IS ADDED,
An APPENDIX of ORIGINAL PAPERS,
Now First Published.

By WILLIAM HARRIS, D.D.

IN TWO VOLUMES.

VOL. II.

Ne quid falsi dicere audeat, ne quid veri non audeat.

CICERO.

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AN HISTORICAL ACCOUNT
OF THE

REIGN OF
JAMES II.



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E R R A T U M.

P. 87, l. 3, in the note, for *cruel*, read, *cruelty*.

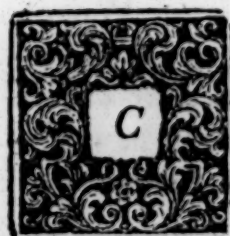
T H E

C O N T E N T S

CHAPTER I. OF THE NATURE AND
EXTENT OF THE SUBJECT.
CHAPTER II. OF THE HISTORY OF THE
ART, AND OF THE PROGRESS OF
THE SCIENCE.
CHAPTER III. OF THE PRINCIPLES OF
THE ART, AND OF THE METHODS OF
TEACHING IT.



T H E
L I F E
O F
CHARLES the SECOND.



C H A R L E S, though blessed with a genius capable of great things, applied himself but little to the affairs of government (xx); the only proper employment

(xx) Charles, *though blessed with a genius — applied himself but little to the affairs of government.*] Burnet assures us, ‘he had a very good understanding. He ‘knew well,’ adds he, ‘the state of affairs both at home and abroad. — He had a great compass of
Vol. II. B ‘know-

ment of a prince : and, with wit and understanding,

‘ knowledge ; though he was never capable of much
 ‘ application or study. He understood the mechanics,
 ‘ and physick ; and was a good chemist, and much set
 ‘ on several preparations of mercury, chiefly the fixing
 ‘ it. He understood navigation well : but, above all,
 ‘ he knew the architecture of ships so perfectly, that,
 ‘ in that respect, he was exact rather more than became
 ‘ a prince. His apprehension was quick ; and his me-
 ‘ mory good. — He hated business, and could not be
 ‘ easily brought to mind any : but when it was necessary,
 ‘ and he was set to it, he would stay as long as his mi-
 ‘ nisters had work for him (a).’ — This character is
 confirmed by those who best knew him. *Sheffield*, Duke
 of *Buckingham*, observes, ‘ that his understanding was
 ‘ quick and lively in little things ; and sometimes would
 ‘ soar high enough in great ones, but unable to keep it
 ‘ up with any long attention or application. Witty in
 ‘ all sorts of conversation ; and telling a story so well,
 ‘ that, not out of flattery, but for the pleasure of hear-
 ‘ ing it, we used to seem ignorant of what he had re-
 ‘ peated to us ten times before, as a good comedy will
 ‘ bear the being seen often. Of a wonderful mixture ;
 ‘ losing all his time, and, till of late, setting his whole
 ‘ heart on the fair sex. — In the midst of all his
 ‘ remissness, so industrious and indefatigable on some
 ‘ particular occasions, that no man would either toil
 ‘ longer, or be able to manage it better (b).’ — Sir
William Temple, after relating a conversation he had
 with him, remarks, ‘ that he never saw him in bet-
 ‘ ter humour, nor ever knew a more agreeable conver-
 ‘ sation when he was so : and where,’ continues he,
 ‘ he

(a) Vol.
 P. 93.

(b) Works,
 vol. ii. P.
 58. 12mo.
 Lond. 1753.

CHARLES THE SECOND.

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derstanding, in no common degree, he
was

‘ he was pleased to be familiar, great quickness of conception, great pleasantness of wit, with great variety of knowledge, more observation and truer judgment of men, than one would have imagined by so careless and easy a manner as was natural to him in all he said or did. From his own temper, he desired nothing but to be easy himself, and that every body else should be so; and would have been glad to see the least of his subjects pleased, and to refuse no man what he asked. But this softness of temper made him apt to fall into the persuasions of whoever had his kindness and confidence for the time, how different soever from the opinions he was of before; and he was very easy to change hands, when those he employed seemed to have engaged him in any difficulties: so as nothing looked steady in the conduct of his affairs, nor aimed at any certain end (c).’ — Lord *Halifax* [*Saville*], who who was no stranger to him, says, ‘ that he had a mechanical head, which appeared in his inclination to shipping and fortification, &c. This would make one conclude, that his thoughts would naturally have been more fixed to business, if his pleasures had not drawn them away from it. He had a very good memory, though he would not always make equal good use of it. So that if he had accustomed himself to direct his faculties to his business, I see no reason why he might not have been a good deal master of it. His chain of memory was longer than his chain of thought: the first could bear any burden, the other

(c) *Ibid.* p.
408. 8vo
edition.

was subject to much weakness and credulity.

(d) Character of King Charles II. 8vo. p. 40. Lond. 1750.

‘ was tired by being carried on too long : it was fit to
 ‘ ride a heat, but it had not wind enough for a long
 ‘ course (d).’ Lord *Clarendon* owns, and attempts to account for, the indolence of his master, by ‘ the unhappy
 ‘ temper and constitution of the royal party — and
 ‘ other perplexities [soon after the Restoration], which
 ‘ did so break his mind, and had that operation on his
 ‘ spirits, that, finding he could not propose any such
 ‘ method to himself, by which he might extricate himself out of the many difficulties and labyrinths in which
 ‘ he was involved, — he grew more disposed to leave
 ‘ all things to their natural course, and God’s providence ; and, by degrees, unbent his mind from the
 ‘ knotty and ungrateful part of his business, grew more
 ‘ remiss in his application to it, and indulged to his
 ‘ youth and appetite, that licence and satisfaction that
 ‘ it desired, and for which he had opportunity enough,
 ‘ and could not be without ministers abundant for any
 ‘ such negotiations ; the time itself, and the young people thereof, of either sex, having been educated in all
 ‘ the liberty of vice, without reprehension or restraint (e).’ I suppose the reader, by these authorities, will be fully satisfied of the genius, and indolence, of *Charles* ; an indolence, contracted whilst abroad, and confirmed by indulgence from his restoration to his death : which damped his understanding, and made it in a manner useless to those over whom he bore rule. For
 ‘ when once the aversion to bear uneasiness taketh place
 ‘ in a man’s mind, it doth so check all the passions, that
 ‘ they

(e) Continuation, vol. iii. p. 38.

‘ they are damp’t into a kind of indifference; they grow
‘ faint and languishing, and come to be subordinate to
‘ that fundamental maxim, of not purchasing any thing
‘ at the price of a difficulty. This made that he had
‘ as little eagerness to oblige as he had to hurt men;
‘ the motive of his giving bounties, was, rather to make
‘ men less uneasy to him, than more easy to themselves;
‘ and yet no ill-nature all this while. He would
‘ slide from an asking face, and could guess very well.
‘ It was throwing a man off from his shoulders, that
‘ leaned upon them with his whole weight; so that the
‘ party was not gladder to receive, than he was to give.
‘ It was a kind of implied bargain; though men sel-
‘ dom kept it, being so apt to forget the advantage they
‘ had received, that they would presume the king would
‘ as little remember the good he had done them, so as
‘ to make it an argument against their next request.
‘ This principle, of making the love of ease exercise an
‘ entire sovereignty in his thoughts, would have been
‘ less censured in a private man, than might be in
‘ a prince. The consequence of it to the publick,
‘ changeth the nature of that quality; or else a philo-
‘ sopher, in his private capacity, might say a great deal
‘ to justify it. The truth is, a king is to be such a
‘ distinct creature from a man, that their thoughts are
‘ to be put in quite a differing shape; and it is such a
‘ disquieting task to reconcile them, that princes might
‘ rather expect to be lamented than to be envied, for
‘ being in a station that exposeth them, if they
‘ do not do more to answer mens expectations than
‘ human nature will allow. ——— The love of ease is
‘ an opiate; it is pleasing for the time, quieteth the
B 3 ‘ spirits;

(A) Character of
K. Charles
II. p. 45—
49.

‘ spirits ; but it hath its effects, that seldom fail to be
 ‘ most fatal. The immoderate love of ease, maketh a
 ‘ mans mind pay a passive obedience to any thing that
 ‘ happeneth: it reduceth the thoughts, from having de-
 ‘ fire, to be content (f).’ Some of these reflexions are
 extremely just ; and I doubt not of the readers being
 pleased with them, especially as they tend to illustrate
 the character of the monarch under consideration. —
 It would be injustice to *Charles* to omit Dr. *Sprat’s* ac-
 count of his encouragement of the Royal Society ; as
 it confirms what *Burnet* has related in the passage above
 cited. ‘ When the society,’ says the writer, ‘ first ad-
 ‘ dressed themselves to his majesty, he was pleased to ex-
 ‘ press much satisfaction, that this enterprize was begun
 ‘ in his reign. He then represented to them the gravity
 ‘ and difficulty of their work ; and assured them of all
 ‘ the kind influence of his power and prerogative.
 ‘ Since that, he has frequently committed many things
 ‘ to their search : he has referr’d many foreign rarities
 ‘ to their inspection : he has recommended many do-
 ‘ mestick improvements to their care : he has demand-
 ‘ ed the result of their tryals, in many appearances of
 ‘ nature : he has been present, and assisted with his own
 ‘ hands, at the performing of many of their experiments,
 ‘ in his gardens, his parks, and on the river. And,
 ‘ besides, I will not conceal, that he has sometimes re-
 ‘ proved them for the slowness of their proceedings :
 ‘ at which reproofs they have not so much cause to be
 ‘ afflicted that they are the reprehensions of a king, as
 ‘ to be comforted that they are the reprehensions of his
 ‘ love and affection to their progress. For a testimony
 ‘ of which royal benignity, and to free them from all
 ‘ hindrances

‘hindrances and occasions of delay, he has given them
‘the establishment of his letters patent (g):’

(g) History
of the Royal
Society, p.
133. 4to.
Lond. 1667.

One would think, by this passage, that the Royal Society had its beginning in this reign: but, setting aside the name and the charter, it had its existence long before. For it was under the parliament, when the authority and the name of king was little revered, but merit, and arts of all kinds, encouraged. It was in this memorable period, so favourable to liberty and the sciences, that this noble society, though without a name, was set on foot.

‘About the year 1645,’ says Dr. *Wallis*, a very eminent member, ‘while I lived in *London*, at a time
‘when, by our civil wars, academical studies were
‘much interrupted in both our universities, besides the
‘conversation of divers eminent divines, as to matters
‘theological; I had the opportunity of being acquainted
‘with divers worthy persons, inquisitive into natural
‘philosophy, and other parts of human learning: and
‘particularly of what hath been called the New Philosophy, or Experimental Philosophy. We did, by
‘agreement, divers of us meet weekly in *London*, on
‘a certain day, to treat and discourse of such affairs.
‘Of such number were, Dr. *John Wilkins*, afterwards
‘Bishop of *Chester*; Dr. *Jonathan Goddard*, Dr. *George Ent*, Dr. *Gliffon*, Dr. *Merret*, Doctors in Physick;
‘Mr. *Samuel Foster*, then Professor of Astronomy at
‘*Gresham College*; Mr. *Theodore Haak*, a German of
‘the Palatinate, and then resident in *London* (who, I
‘think, gave the first occasion, and first suggested these
‘meetings); and many others. These meetings we
‘held sometimes at Dr. *Goddard*’s lodgings, in *Wood-*
B 4 ‘street,

' *street*, or some convenient place near, on occasion of
 ' his keeping an operator for grinding glasses for tele-
 ' scopes and microscopes ; and sometimes at a conveni-
 ' ent place in *Cheapside* ; sometimes at *Gresham College*,
 ' or some place near adjoining. Our business was, pre-
 ' cluding matters of theology and state affairs, to dis-
 ' course and consider of philosophical enquiries, and
 ' such as related thereunto, as physick, anatomy, geo-
 ' metry, astronomy, navigation, staticks, magneticks,
 ' chemicks, mechanicks, and natural experiments ;
 ' with the state of these studies, as then cultivated, at
 ' home and abroad. — About the year 1648, 1649,
 ' some of us being removed to *Oxford*, first Dr. *Wilkins*,
 ' then I, and, soon after, Dr. *Goddard*, our company
 ' divided. Those in *London* continued to meet there,
 ' as before ; and we with them, when we had occasion
 ' to be there. And those of us at *Oxford*, with Dr.
 ' *Ward*, since Bishop of *Salisbury* ; Dr. *Ralph Bathurst*,
 ' now President of *Trinity College*, in *Oxford* ; Dr. *Pet-*
 ' *ty*, since Sir *William Petty* ; Dr. *Willis*, then an emi-
 ' nent physician in *Oxford* ; and divers others ; conti-
 ' nued such meetings in *Oxford*, and brought those stu-
 ' dies into fashion there : meeting first at Dr. *Pettie's*
 ' lodgings, in an apothecaries house, because of the
 ' convenience of inspecting drugs, and the like, as there
 ' was occasion : and, after his remove to *Ireland*, tho'
 ' not so constantly, at the lodgings of Dr. *Wilkins*,
 ' then Warden of *Wadham College* ; and after his re-
 ' moval to *Trinity College* in *Cambridge*, at the lodgings
 ' of the Honourable Mr. *Robert Boyle*, then resident for
 ' divers years in *Oxford*. Those meetings in *London*
 ' continued : and after the kings return, in 1660, were
 ' increased with the accession of divers worthy and ho-
 ' nourable

CHARLES THE SECOND.

9

dulity (YY). Besides this, — with a
seeming

‘nourable persons; and were afterwards incorporated
‘by the name of the Royal Society, &c. and so con-
‘tinues to this day *.’ — The reader will par-
don a digression intended to restore the honor of so ex-
cellent an institution to its right authors; and to rescue
the time of its formation from the foul slanders of bar-
barism, ignorance, and darkness, so frequently cast
on it †.

(YY) *He was subject to much weakness and credulity.*] Wisdom, and folly; understanding, and credulity; though opposites and contraries, very frequently reside in one and the same man: and nothing is more common, than to see those of superior capacities fall into weaknesses and follies, which men of plain sense hold in contempt and very deservedly ridicule. — Witches, the Stars, Charms, Oracles, Ghosts, and every phantom which weakness or wickedness, in various ages and different countries, have imagined or feigned, have, some or other of them, been embraced, as truths, by

* Wallis’s account of some passages in his life, quoted in the notes of the Life of A. Sydney, p. 44. 4to. Lond. 1763. And Ward’s preface to the Lives of the Professors of Gresham College, p. 10, fol. Lond. 1740. See also Sprat’s History, p. 53.

† Wood, speaking of Henry Stubbe, says, while he continued undergraduate at Christ Church, Oxon, it was usual with him to discourse in the public schools very fluently in the Greek tongue; as it was, at the same time, with one John Pettie, of Baliol, afterwards of Queen’s College, and others, whose names are forgotten. But since the king’s restoration, we have had no such matters; which shews, in some part, that education and discipline were more severe then (as indeed they were) than after, when scholars were given more to liberty and frivolous studies. *Athenæ Oxon.* vol. ii. c. 561.

men

THE LIFE OF

seeming openness and frankness of heart,
which

men most respectable on account of their knowledge, virtue, and integrity. I need not quote proofs for this: such as are desirous of them, may read *Plutarch*, among the antients; and recollect, that the names of Sir *Thomas Brown*, Sir *Matthew Hale*, Mr. *Boyle*, and many others, among the moderns; are in the number of the believers of the intercourse of the Devil with the most wretched and despicable of the daughters of *Eve*. To which may be added, that the profession of a conjurer was so very common amongst the catholics, that a question is put by the Jesuit *Sanchez*, ‘whether a conjurer is obliged to return the gain which he makes by conjuration?’ Which he thus resolves: ‘If the conjurer has not taken the care and pains to know, by the devil’s means, what could not be known otherwise; he is obliged to restitution: but if he has taken all due care, he is not obliged (*b*).’ No wonder, therefore, is it to find a prince of *Charles’s* character, who was unused to enquiry, and accustomed to assent to those about him, liable to weakness, and exposed to credulity. *Burnet* tells us, ‘the king had ordered *Mountague*, his ambassador at *Paris*, in the year 1678, to find out an astrologer, of whom it was no wonder he had a good opinion: for he had, long before his Restoration, foretold, he should enter *London* on the 29th of *May*, —60. He was yet alive; and *Mountague* found him, and saw he was capable of being corrupted. So he resolved to prompt him, to send the king such hints as should serve his own ends. And he was so bewitched with the Duchess of *Cleveland*, that he

‘ trusted

(*b*) Paschal's Letters, vol. i. p. 183. 8vo. Lond. 1744.

which pleased much those who came
near

‘ trusted her with this secret. But she, growing jealous of a new amour, took all the ways she could think on to ruin him; reserving this of the astrologer for her last shift. And by it she compassed her ends: for *Mountague* was entirely lost upon it with the king, and came over without being recalled (i).’ This, at first sight, seems a strange passage; a passage which seems to have been picked up merely to reflect on the king and the ambassador. But improbabilities, though, for a time, they may and ought to hinder the assent of the human mind; do not, ought not, always to prevent it. Our understandings are too narrow; our knowledge too little; our experience too small; to say, absolutely, what is, or what is not, possible, or impossible, to be believed, or done, by men variously circumstanced: and, therefore, foolish as this story may now appear, it yet, possibly, may be very true; nay, certainly, is so. — For the Duchess of *Cleveland*’s letter to the king, is now in the *British Museum*; dated, *Paris, Tuesday the 28th, —78*, and in it is contained the following expressions: ‘ When I was to come over,’ says she, ‘ he [*Mountague*] brought me two letters to bring to you, which he read both to me before he sealed them. The one was a mans, that, he said, you had great faith in; for that he had, at several times, foretold things to you that were of consequence; and that you believed him in all things, like a changeling as you were; and that now he had wrote you word,

‘ that,

(i) Vol. i.
P. 422.

near him, he was an arrant dissembler ;

‘ that, in a few months, the King of *France*, and his
 ‘ son, were threatened with death ; or, at least, with a
 ‘ great fit of sickness, in which they would be in great
 ‘ danger, if they did not die : and that therefore he coun-
 ‘ sell’d you to defer any resolutions either of war or peace,
 ‘ till some months were past ; for that, if this happened,
 ‘ it would make a great change in *France*. The am-
 ‘ bassador, after he had read this to me, said, Now the
 ‘ good of this is, said he, that I can do what I will with
 ‘ this man : for he is poor ; and a good sum of money
 ‘ will make him write whatever I will. So he propos’d
 ‘ to me, that he and I should join together in the ruin
 ‘ of my Lord Treasurer [*Danby*], and the Duchess of
 ‘ of *Portsmouth* ; which might be done thus : The man,
 ‘ though he was infirm and ill, should go into *England* ;
 ‘ and there, after having been a little time, to sol-
 ‘ licit you for money ; for that you were so base, that,
 ‘ though you employ’d him, you let him starve ; so
 ‘ that he was oblig’d to give him 50 *l*, and that the
 ‘ man had writ several times to you for money. And,
 ‘ says he, when he is in *England*, he shall tell the king
 ‘ things that he foresees will infallibly ruin him ; and
 ‘ so with those to be removed, as having an ill star, that
 ‘ would be unfortunate to you if they were not remov-
 ‘ ed : but if that were done, he was confident you
 ‘ would have the most glorious reign that ever was.
 ‘ This, says he, I am sure I can order so, as to bring
 ‘ to a good effect, if you will (k).’ From this letter,
 we may judge of the goodness of *Burnet’s* intelligence ;

(k) See the
 Appendix.

‘ and

and rectify an opinion, by too many entertained, that he was hasty and credulous, and a mere recorder of the tales and scandals of the times.

I will conclude this note with the words of M. *le Clerc*, a man equally remarkable for his sense, learning, and freedom of thought. ‘There is nothing so common as to see unbelievers,’ says he, ‘strongly persuaded of Judiciary Astrology; and believing, that magicians can do several things beyond the power and order of nature. Two great ministers of state, for example, whose actions will not let us think that religion was one of their greatest virtues, are both accused of believing the predictions of astrologers: and one of them, of persuading himself, that a man who vomited several sorts of liquors, did it by the help of magick. Cardinal *Richlieu*, says an historian, consulted, besides astrology, all kinds of divination; even silly women, whose knowledge consists in vapours, that make them foretell, by chance, some fortuitous events. He was so credulous, as to attribute to the operation of the devil, the art of throwing out at the mouth all sorts of liquors, after having first drunk water; as was done by an *Italian* mountebank. *Mazarine*, who was not yet a cardinal, having at so simple a discourse burst out into laughing, had like to lose his favour by it: for the cardinal being provoked at this mirth, whereby he thought *Mazarine* jeer’d him, said, ironically, to him, that he was not Monsieur *Mazarine*, who had a profound and exact knowledge of every thing. *Mazarine* very submissively reply’d, that, giving the fifty pistoles which the mountebank demanded for teaching his secret, it might be seen whether the devil had any hand in it.

bler (zz), as is confessed even by his friends;
and

‘ *Mazarine* himself looked upon all divinations as fop-
‘ peries ; except astrology, which he strongly fancied,
‘ though he feigned the contrary. When Madam *Man-*
‘ *cini*, his sister, dy’d ; and afterwards the Duchess of
‘ *Mercœur*, his niece ; according to the prediction of an
‘ astrologer at *Rome*, given in writing a great while be-
‘ fore, he became extraordinary sad and melancholy,
‘ not out of tenderness to his relations, but because this
‘ same astrologer had fix’d the term of his own death to
‘ a time that was very near. He lost his appetite upon
‘ it, and slept not for many nights (l).’

(l) Causes
of Incredu-
lity, p. 24.
12mo. Lond.
1697.

(m) In note
(o.)

(zz) *He was an arrant dissembler.*] We have seen the
dissimulation of *Charles* in *Scotland* (m) : a dissimulation
so base, that it made deep impressions on the minds of
many ; and gave his adversaries a handle to represent
him in no very favourable light. This is taken notice
of, and attempted to be apologized for, in the declara-
tion concerning ecclesiastical affairs, published soon af-
ter the Restoration. ‘ We have found,’ says the decla-
ration, ‘ ourself not so candidly dealt with as we have
‘ deserved ; and that there are unquiet and restless spi-
‘ rits, who — continue their bitterness against the
‘ church, and endeavour to raise jealousies of us, and
‘ to lessen our reputation by their reproaches, as if we
‘ were not true to the professions we have made. And,
‘ in order thereunto, they have very unseasonably caused
‘ to be printed, published, and dispersed, throughout the
‘ kingdom, a declaration heretofore printed, in our name,
‘ in *Scotland*, of which we shall say no more, than that
‘ the

and very little to be relied on. —

He

‘ the circumstances, by which we were enforced to sign
 ‘ that declaration, are enough known to the world;
 ‘ and that the worthiest and greatest part of that nation
 ‘ did even then detest and abhor the ill usage of us in
 ‘ that particular; when the same tyranny was exercised
 ‘ there, by the power of a few ill men, which, at that
 ‘ time, had spread itself over this kingdom; and there-
 ‘ fore we had no reason to expect, that we should, at
 ‘ this season (when we are doing all we can to wipe
 ‘ out the memory of all that hath been done amiss by
 ‘ other men, and, we thank God, have wiped it out of
 ‘ our own remembrance), have been ourself assaulted
 ‘ with those reproaches; which we will likewise for-
 ‘ get (n).’ — This is but a poor apology. If cir-
 ‘ cumstances had not enforced, *Cromwell* had been no
 ‘ dissembler. — To go on. — *Sheffield* observes, that
 ‘ *Charles* was not false to his word; but full of dissimu-
 ‘ lation, and very adroit at it (o).’ — And *Saville*,
 ‘ after taking notice, ‘ that princes dissemble with too
 ‘ many not to have it discovered;’ adds, ‘ no wonder
 ‘ then that he [*Charles*] carried it so far that it was dis-
 ‘ covered. Men,’ continues he, ‘ compared notes,
 ‘ and got evidence: so that those whose morality would
 ‘ give them leave, took it for an excuse for serving him
 ‘ ill. Those who knew his face, fixed their eyes there;
 ‘ and thought it of more importance to see, than to hear
 ‘ what he said. His face was as little a blab as most
 ‘ mens; yet, though it could not be called a prattling
 ‘ face, it would sometimes tell tales to a good observer.
 ‘ When

(n) *Kennet's Register*, p. 289.

(o) *Works*, vol. ii. p. 58.

He is accused, perhaps not without foundation;

(p) Character, p. 15.

(q) Baxter's Life, p. 218.

(r) State Letters of Henry, Earl of Clarendon, vol. ii. p. 275. 4to. Oxon, 1763.

‘ When he thought fit to be angry, he had a very peevish memory: there was hardly a blot that escaped him. At the same time that this shewed the strength of his dissimulation, it gave warning too: it fitted his present purpose, but it made a discovery that put men more upon their guard against him. (p).’ — After this, it will be no difficult matter for the reader to believe, that, when the king passed through the city towards *Westminster*, the *London* ministers attended him with acclamations; and, by the hands of old Mr. *Arthur Jackson*, presented him with a rich-adorned Bible, which he received, and told them, it should be the rule of his actions (q).’ Nor can we wonder that a prince of this character, in order to keep up appearances, should order attempts to be made to recover his brother from popery; which he himself was, probably, — as we shall soon see — far from being disinclined to. This particular we find in a letter from *Sancroft* to *Morley*, dated, *Feb. 11, 1678*, in the following words: ‘ Yesterday I had a private intimation from my superiour, that it is his pleasure that some further attempt should speedily be made to recover the Duke of *York* out of that foul apostacy into which the busy traytors from *Rome* have seduced him (r).’ — There is another story related, by an anonymous writer, which, possibly, may be true, as being consistent with the king’s character; though I will not charge myself with the proof of it. — ‘ Whilst the king lay at *Breda*, daily expecting the *English* navy for his transportation; the dissenting party, fearing the worst, thought it but reasonable to send a select

'lect number of their most eminent divines to wait upon
 'his majesty in *Holland*, in order to get the most ad-
 'vantageous promises from him they could, for the liberty
 'of their consciences. Of the number of these divines,
 'Mr. *Cafe* was one; who, with the rest of his brethren,
 'coming where the king lay, and desiring to be admitted
 'into the kings presence, were carried up into the cham-
 'ber next, or very near, the kings closet; but told withal,
 'that the king was busy at his devotions, and that till
 'he had done they must be contented to stay. Being thus
 'left alone (by contrivance, no doubt), and hearing a
 'sound of groaning piety, such was the curiosity of Mr.
 'Cafe, that he would needs go and lay his ear to the
 'closet door. But, Heavens! how was the good old
 'man ravished to hear the pious ejaculations that fell
 'from the king's lips! — Lord — since thou art pleased
 'to restore me to the throne of my ancestors, grant me
 'a heart constant in the exercise and protection of thy
 'true protestant religion. — Never may I seek the op-
 'pression of those, who, out of tenderness of their con-
 'sciences, are not free to conform to outward and indis-
 'ferent ceremonies. — With a great deal more of the same
 'cant (s). — This account is far enough from being
 improbable: for, on good authority, we are assured,
 'that when he received the *London* ministers, which
 'went to him at the *Hague*, he had these memorable
 'and rare expressions: That he would make it his bu-
 'siness to bring virtue and sobriety into fashion and re-
 'pute in *England*; and though there were a profane
 'drinking party, which would be esteemed his best and
 'only friends, he would make the more haste into *Eng-*
 'land, to let such men know, that he was their worst
 VOL. II. C enemy,

(s) Secret
 History of
 the Reigns
 of Charles
 II. and
 James II.
 12mo. p.
 20. 1690.

dation, of ingratitude (AAA) towards
those

(t) Ken-
net's Regis-
ter, p. 460.

' enemy, for they were the devil's party, and none of
' his. These were his words; and, which is the true
' honour of them, they were free; not drawn from him,
' or suggested to him (t). — These, and facts like these,
will establish the character of *Charles* for dissimulation;
and class him, in this respect, with many of his most
zealous opponents. Lord *Halifax* attempts to apolo-
gize for him, however, on this head. ' If he dissem-
' bled,' says he, ' let us remember, first, that he was a
' king; and that dissimulation is a jewel of the crown:
' next, that it is very hard for a man not to do some-
' times too much of that, which he concludeth necessa-
' ry for him to practise. Men should consider, that
' as there would be no false dice, if there were no true
' ones; so if dissembling is grown universal, it ceaseth
' to be foul play, having an implied allowance by the
' general practice. He that was so often forced to dis-
' semble in his own defence, might the better have the
' privilege sometimes to be the aggressor, and to deal
' with men at their own weapon (u). ' What force
there is in this, the reader will determine.

(u) Charac-
ter, p. 56.
Compare a
passage from
the Anti-
Machiavel,
quoted in the
Life of
Charles I.
p. 83.

(AAA) *He has been accused of ingratitude.*] This was
the charge against him soon after his restoration, by par-
ties, and private persons. — ' They who had suffered
' much in their fortunes, and, by frequent imprison-
' ments, and sequestrations, and compositions, expected
' large recompences and reparations in honours, which
' they could not support, or offices which they could
' not discharge, or lands and money which the king
' had

those from whom he had received very
great

‘ had not to give ; as all dispassioned men knew the
‘ conditions which the king was obliged to perform,
‘ and that the act of indemnity discharged all those for-
‘ feitures which could have been applied to their bene-
‘ fit ; and therefore they who had been, without com-
‘ parison, the greatest sufferers in their fortunes, and in
‘ all respects had merited most, never made any inconve-
‘ nient suits to the king, but modestly left the memory
‘ and consideration of all they had done, or undergone,
‘ to his majesty’s own gracious reflexions. They were
‘ observed to be most importunate, who had deserved
‘ least, and were least capable to perform any notable
‘ service ; and none had more esteem of themselves,
‘ and believed preferment to be more due to them, than
‘ a sort of men who had most loudly began the king’s
‘ health in taverns ; especially if, for any disorders which
‘ had accompanied it, they had suffered imprisonment,
‘ without any other pretence of merit, or running any
‘ other hazard (x). — These are the words of *Clarendon*: words of severity, but perhaps justice, to many
of his party ; though they come with a very ill grace
from a man who received twenty thousand pounds, from
the king’s bounty, soon after his arrival in *England* (y):
who had never suffered imprisonment, or run hazard
in the field, for the royal cause ; and who, moreover,
had procured of the king the manor of *Cornbury*, in *Ox-*
fordshire, forfeited by the attainder of Sir *John Danvers*,
one of the late king’s judges (z). We are not to won-
der then that the cavaliers complained highly of their
being neglected, as *Burnet* assures us they did : or that,

(x) *Clarendon’s Continuation*, vol. ii. p. 35.

(y) *Id.* p. 60.

(z) *Wood’s Athenæ*, vol. ii. c. 534.

great obligations in his necessities; and
even

(a) See
Burnet, vol.
i. p. 165.

upon *Clarendon's* beating down the value they set on their services, an implacable hatred took place in the breasts of many of them against him (a). For to be neglected, and contemned at the same time, by persons we have wished to serve, and for whom we have suffered, is hardly to be borne by men of virtue; much less by those unacquainted with it. — If his lordship, as was given out, advised the king to gain his enemies, since he was sure of his friends by their principles; we cannot be at a loss to account for their ill will. —

To go on. *Burnet* observes of his majesty, that 'he had been obliged to so many, who had been faithful to him, and careful of him, that he seemed afterwards to resolve to make an equal return to them all: and finding it not easy to reward them all as they deserved, he forgot them all alike. Most princes seem to have this pretty deep in them; and to think, that they ought never to remember past services, but that their acceptance of them is a full reward. He, of all in our age, exerted this piece of prerogative in the amplest manner: for he never seemed to charge his memory, or trouble his thoughts, with the sense of any of the services that had been done him (b).' —

(b) Vol. ii
p. 611.

It appears also, from the satires of the times, that ingratitude was imputed to *Charles*.

' His father's foes he does reward,
' Preserving those that cut off's head:
' Old cavaliers, the crown's best guard,
' He lets them starve for want of bread.

' Never

even towards the memory of his father,
he

‘ Never was any king endu’d
‘ With so much grace and gratitude.’

ROCHESTER,

‘ To see them who suffer’d for father and son,
‘ And helped to bring the latter to’s throne,
‘ Who, with lives and estates, did loyally serve,
‘ And yet, for all this, can nothing deserve.
‘ The king looks not on them, preferment’s deny’d’em;
‘ The Roundheads insult, and the Courtiers deride’em.’

MARVEL,

This was the language of the times. Nor did it want truth for its foundation. Lord *Clarendon*, as we have seen, endeavours to excuse and justify his master; — but how very poorly, is about to appear. I will not here take notice of *Charles’s* treatment of the body of the presbyterians, to whom he, in a good measure, owed his crown: but will confine myself to the cases of a few persons, one of whom only was of that persuasion. The Marquis of *Argyle* was executed, as it is well known, soon after *Charles* had taken possession of the three kingdoms. He had been looked on as an enemy by the former king; — he certainly was so to his designs; — and it was alledged, ‘ that he had hindered the *Scots* ‘ from inviting his majesty, and, as long as possible, ‘ kept him from being received by them:’ but, at the same time, it is confessed, ‘ that when there was no remedy, and that he was actually landed, no man paid ‘ him so much reverence and outward respect, and gave

he was wanting in that respect, which
his

‘ so good an example, to all others, with what veneration their king ought to be treated, as the Marquis of *Argyle* did; and in a very short time made himself agreeable and acceptable to him. And though he never consented to any one thing of moment which the king asked of him, and even in those seasons in which he was used with the most rudeness by the clergy, and with some barbarity by his son the Lord *Lorne*, whom he had made captain of his majesty’s guard, to guard him from his friends, and from all who he desired should have access to him; the marquis still had that address, that he perswaded him all was for the best. When the other faction prevailed, in which there were likewise crafty managers, and that his counsels were commonly rejected, he carried himself so, that they who hated him most were willing to compound with him, and that his majesty should not withdraw his countenance from him. But he continued in all his charges, and had a very great party in the parliament that was most devoted to serve the king; so that his majesty was often put to desire his help to compass what he desired. He did heartily oppose the king’s marching with his army into *England*; the ill success whereof made many men believe, afterwards, that he had more reasons for the counsels he gave, than they had who were of another opinion. And the king was so far from thinking him his enemy, that, when it was privately proposed to him, by those he trusted most, that he might be secured from doing hurt when the king was marched into *England*, since he was so much against it; his

I

‘ majesty

his friends thought needful, and all mankind

‘ majesty would by no means consent to it, but parted
 ‘ with him very graciously, as with one he expected
 ‘ good service from. All which the commissioners [of
 ‘ *Scotland*, foes to *Argyle*] well remembered, and were
 ‘ very unwilling that he should be again admitted into
 ‘ his presence, to make his own excuses for any thing
 ‘ he could be charged with. And his behaviour afterwards,
 ‘ and the good correspondence he had kept with
 ‘ *Cromwell*, but especially some confident averments of
 ‘ some particular words or actions which related to the
 ‘ murder of his father, prevail’d with his majesty not to
 ‘ speak with him, which he laboured by many addresses
 ‘ in petitions to the king, and letters to some of those
 ‘ who were trusted by him, which were often presented
 ‘ by his wife, and his son, and in which he only desired,
 ‘ to speak with the king, or with some of those lords,
 ‘ pretending, that he should inform and communicate
 ‘ somewhat that would highly concern his majesty’s
 ‘ service. But the king not vouchsafing to admit him
 ‘ to his presence, the *English* lords had no mind to have
 ‘ any conference with a man who had so dark a character,
 ‘ or to meddle in an affair that must be examined and
 ‘ adjudged by the laws of *Scotland*: and so
 ‘ it was resolved, that the Marquis of *Argyle* should be
 ‘ sent by sea into *Scotland*, to be tried before the parliament
 ‘ there, when the commissioner should arrive who
 ‘ was dispatched thither with the rest of the lords, as
 ‘ soon as the seals, and other badges of their several
 ‘ offices, could be prepared. And what afterwards became
 ‘ of the marquis, is known to all men (c).’ —

C 4

It is,

(c) Clarendon's Continuation, vol. ii. p. 99.

kind expected from him; though he
endea-

It is, I think, very easy to conclude, from this narrative, — though partial and untrue in many parts of it, — that *Charles* was under very great obligations to *Argyle*; and that his refusing to see him, and his delivering him up to the rage of his enemies, was highly ungrateful. If innocent, the marquis had a right to his protection: — if guilty, his services claimed, at least, so small a favour as to be heard by the king in his own defence. But his majesty's ingratitude in this affair will be farther manifested by the following letter, or declaration, written with his own hand, and signed with his seal manual, dated at *St. Johnstoun*, *Sept. 24, 1650.* —

‘ Having taken into my consideration the faithful endeavours of the Marquis of *Argyle*, for restoring me to my just rights, and the happy settling of my dominions; I am desirous to let the world see, how sensible I am of his real respect to me, by some particular marks of my favour to him, by which they may see the trust and confidence which I repose in him: and, particularly, I do promise, that I will make him Duke of *Argyle*, and Knight of the Garter, and one of the Gentlemen of my Bed-chamber: and this to be performed when he shall think it fit. And I do farther promise him, to hearken to his counsels — *worn out* — whenever it shall please God to restore me to my just rights in *England*, I shall see him paid the forty thousand pounds sterling which is due to him. All which I do promise to make good upon the word of a king*.

CHARLES R.

* Wodrow's History of the Sufferings of the Church of Scotland, vol. i. p. 56. fol. Edinb. 1721. — See also Biographia Britannica, p. 1150.

But

endeavoured to excuse himself from the
impu-

But all these promises, we have seen, were of no signification. Such was the faith, such the gratitude, of this prince! — Nor was the treatment of *Charles Stanley*, Earl of *Derby*; whose father lost his head, and he his liberty, for the king; much better. The last Earl of *Derby*, of the *Stanley* family, has perpetuated it by the following inscription, on a building erected at *Knowsley*, his seat in *Lancashire*.

‘ *James*, Earl of *Derby*, Lord of *Man* and the *Isles*,
‘ grandson of *James*, Earl of *Derby*, and of *Charlotte*,
‘ daughter of *Claude* Duke de la *Tremouille*, whose husband,
‘ *James*, was beheaded at *Bolton*, xv Octob.
‘ MDCLII. for the strenuously adhering to *Charles* the
‘ Second, who refused a bill, past unanimously by both
‘ houses of parliament, for restoring to the family the
‘ estate lost by his loyalty to him. MDCCXXXII (d).
His majesty, however, rewarded the son with the lord
lieutenances of two counties (e)!

Clarendon we have had occasion frequently to quote. He was a man of parts, and industry; though not very fit for a statesman, by reason of his pride, vanity, partiality, and ignorance in public affairs. Attached, however, he was to his master, by principle and inclination; and studious to promote his interest. The recommendation of *Charles I.* whose cause he had espoused, and a long exile, had given him consequence with the young monarch; to whom his understanding and diligence were, on many occasions, very useful, surrounded as he was by visionaries, debauchees, and idlers of various kinds.

(d) Rapin's
History of
England, by
Tindal, vol.
ii. p. 586.
In the notes.

(e) Catalogue of
Royal and
Noble Authors, vol.
ii. p. 4.

At

imputation by weak reasons. After this,
we

At the Restoration, this man was loaded with honors and favours : but he soon lost ground with the king, who suffered his enemies to persecute him ; and even joined with them so far as to hurry him out of the kingdom, and assent to a bill devised for his perpetual banishment. If the account his lordship has given of this affair, be true ; the king must have had a base heart indeed. For his lordship informs us, ‘ that his majesty ‘ sent to the Archbishop of *Canterbury*, that he should, ‘ in his majesty’s name, command all the bishops bench ‘ to concur in thanking him for removing the Chancellor [*Clarendon*] ; that he publicly denied what he ‘ had declared to the Duke of *York*, and which he had ‘ given him liberty to report, in his vindication ; that ‘ he discoursed of him differently to different persons ; ‘ and, lastly, by deceitful promises, induced him to fly, ‘ and thereby expose himself, with seeming justice, to ‘ the penalties which were afterwards inflicted on ‘ him (f). Whether the chancellor was justly punished by parliament, is not here the question. — I will add but one instance more of the ingratitude of *Charles* ; but that is such a one as will serve to illustrate his character very remarkably. — It is well known that *Charles I.* was talked of as a Martyr, both before and after his son’s restoration : as a martyr, therefore, it was naturally to be supposed he would be honoured. This, of course, would produce a solemn interment ; and a superb monument, suitable to the great merits and dignity of the person. And, if Lord *Clarendon* may be believed, ‘ his majesty had resolved to do it before his ‘ coming

(f) Continuation, vol. iii. p. 841--867.

we shall not wonder to find him unjust

‘coming into *England*.’ Why it was not done, his lordship has told us a long-winded story; the substance of which is, that the body of the king’s father could not be found at *Windsor*, where it had been interred, because the Lords *Southampton* and *Lindsey*, who had attended on that occasion, ‘could not recollect their memories, nor find any one mark by which they could make any judgment near what place the king’s body lay (*g*).’ — This was the excuse to save appearances; and cover over disregard and neglect of a parent, who, in his eye, had nothing of the tyrant or foe to mankind. For, in fact, it was nothing but an excuse; and founded in falsehood too. — ‘It has been made a question, and a wonder, by many, why a particular monument was not erected for *Charles I.*’ says *Echard*, ‘after the Restoration of his son; especially when the parliament was well inclined to have given a good sum for that grateful purpose. This has caused several conjectures, and reflections: and intimations have been given, as if the royal body had never been deposited there [*Windsor*]; or, else, had afterwards been removed by the regicides: and the Lord *Clarendon* himself speaks softly and suspiciously of this matter, as if he believed that the body could not be found. But to remove all imaginations, we shall insert a memorandum, or certificate, sent by Mr. *John Sewell*, a Register at *Windsor Castle*: “*Anno 1696, September twenty-first, the same vault in which King Charles the First was buried, was opened, to lay in a still-born child of the then Princess of Denmark, now*

(*g*) *Id.* vol. ii. p. 192. and History of the Rebellion, vol. v. p. 261.

“our

just to such as were not in his favour;

“our gracious queen. On the king’s coffin, the velvet
 “pall was strong and sound; and there was about the
 “coffin a leaden band, with this inscription cut through
 “it, KING CHARLES, MDCXLVIII. Queen *Jane’s* coffin
 “was whole, and entire: but that of King *Henry* the
 “Eighth was sunk in upon the breast part; and the
 “lead and wood consumed with the heat of the gums he
 “was embalmed with: and when I laid my hand on it,
 “it was run together, and hard, and had no noisome
 “smell.” As a farther memorandum, relating to King
 “*Charles’s* interment, he says, “that when the body of
 “King *Charles* the First lay in state, in the Dean’s
 “Hall, the Duke of *Richmond* had the coffin opened,
 “and was satisfy’d that it was the king’s body. This
 “several people have declared they knew to be true, who
 “were alive, and then present; as, Mr. *Randolph* of *New*
 “*Windsor*, and others: so that he thinks the Lord *Claren-*
 “*don* was misled in that matter; and that King *Charles*
 “the Second never sent to enquire after the body, since
 “it was well known, both to the inhabitants of the cas-
 “tle and town, that it was in that vault (b).” That
 Lord *Clarendon’s* tale is mere fiction, may be, I think,
 concluded from the house of commons voting, Jan. 30,
 1677, sixty eight thousand pounds for the interment of
Charles I. and for erecting him a monument. — In
Grey’s Parliamentary Debates, there are several speeches
 of the courtiers in favour of the resolution; — not a word,
 from any one, that it was difficult to find the body (i).
 ---- A bill was brought in, and ordered to be read a se-
 cond time; whether it was passed into a law, or not, I
 cannot

(b) History
 of England,
 vol. ii, p.
 649.

(i) Jour-
 nal; and
Grey’s De-
 bates, vol.
 v. p. 32.

your (BBB); or even cruel to those who,
by

cannot certainly say. ----- If not, his majesty must be blamed; for the house expressed a high veneration for the martyr. ----- Such was the gratitude of *Charles* to his father! Such the reverence and regard to his memory! The obligations to parents are of the highest nature; and to be ungrateful to them, is to expose one's self to the hatred and contempt of mankind. '*Omnes immemorem beneficii oderunt: eamque injuriam in deterrenda liberalitate sibi etiam fieri; eumque, qui faciat, communem hostem tenuiorum putant*' (k).'

(k) Cicero.

(BBB) He was unjust to such as were not in his favour; &c.] *Sheffield* says, 'He was surely inclined to justice; for nothing else would have retained him so fast to the succession of a brother, against a son he was so fond of, and the humour of a party he so much feared. I am willing also to impute to his justice, whatever seems in some measure to contradict the general opinion of his clemency; as his suffering always the rigour of the law to proceed not only against all highway-men, but also several others, in whose cases the lawyers (according to their wonted custom) had used sometimes a great deal of hardship and severity (l).'
Burnet however declares, 'that he seemed to have no bowels or tenderness in his nature; and in the end of his life he became cruel. He was apt to forgive,' continues this writer, 'all crimes; even blood itself: yet he never forgave any thing that was done against himself, after his first and general act of indemnity, which was to be reckoned as done rather upon maxims of state than inclinations of mercy (m).' — This seems

(l) Works,
vol. ii. p.
58.

(m) Vol. i.
p. 612.

by their actions, or writings, had procured

very severe; but may, notwithstanding, be much more true than the character given by the Duke of *Buckingham*, just above recited. Let facts, however, determine. *Harrington*, the celebrated writer of the *Oceana*, had been a companion of *Charles I.* in the midst of his distresses; by whom he was esteemed, and regarded. He was, however, a republican; and writ many noble pieces in that cause, which have conveyed his name down with honor to posterity. This man, in *December*, 1661, was seized, and committed to the *Tower*, for treasonable designs and practices: and though no proof at all was made of it, he lay in close confinement there five months, and afterwards, unknown to his friends, was suddenly hurried on shipboard, and confined in *St. Nicholas Island*, near *Plymouth*. This impaired his health, and brought on disorders, which rendered the remaining part of his life very unhappy. This, surely, was injustice: injustice in the king, to whom his case had been represented, and from whom even an exchange of prison could not be obtained but on excessive bail⁽ⁿ⁾.—*Nevill*, the author of *Plato Redivivus*, a man of rank and learning, suffered also imprisonment; as did *Wildman*, and many others of the party, for feigned crimes: it being the mode of the court, at this time, to invent tales, in order to cover over their malice to such as had been their opponents. Particulars will easily be recollected by such as are conversant in our histories. ----- But the case of *Sir Henry Vane* is so very remarkable, and the king himself was so deep in the design against his life, which was most unjustly taken from him, that
I can-

(n) See *Toland's Life of Harrington*, *Wood's Athenæ*, and *Biographia Britannica*.

cured his displeasure. — In respect to
his

I cannot do justice to my subject without enlarging on it. It is well known that this gentleman had a principal hand in bringing Lord *Strafford* to justice ; in resisting the tyranny of *Charles I.* and reducing him to a condition in which he was glad to sue for peace ; and that he even advised against closing with him in the *Isle of Wight*. He, however, never sat in judgment on the king : he never closed with *Cromwell*, but suffered imprisonment from him ; and adhered steadily to the cause of the parliament, which from the beginning he had embraced. On these accounts, though he was excepted in the Bill of Indemnity, the lords and commons joined in a petition to the king, that if he were attainted, yet execution as to his life might be remitted, as he was not one of the immediate murderers of his father ; against whom alone his majesty had declared his pleasure to proceed (o). On the petition's being presented, by the lord chancellor, it was promised to be complied with by the king (p). His life was now deemed safe. But on a new parliament being called, which was wholly devoted to the court, it was determined that he should feel the effects of its resentment. Accordingly the house of commons ordered, ' that Sir *Henry Vane*, ' and Col. *Lambert*, that are wholly excepted and fore-
prized out of the Act of Indemnity, be left to be pro-
ceeded against according to law : and it is recommend-
ed to Mr. Attorney General, to take care of the pro-
ceedings against them (q). ' The order was once
or twice more renewed : and Sir *Henry*, in conse-
quence thereof, was brought to a trial at the King's
Bench,

(o) See
Journals of
the House of
Commons,
Sept. 5,
1660.

(p) Thur-
loe, vol. vii.
p. 914.

(q) Jour-
nal, July 1,
1661.

his morals; he was one of the most perfect

Bench, *June 2* and 6, 1662. The indictment was for high treason, evidenced 'by consulting, with others, 'to bring the king to destruction, and to hold him out 'from the exercise of his regal authority; and then, 'usurping the government, and appointing officers of 'the army raised against the king; as also assembling 'in a warlike manner.' This indictment, it is evident, was fitted for almost every person concerned in the government from the death of the late king, whose death is not laid to Sir *Henry's* charge, though it was the alone crime which his present majesty, as we have seen, declared that he desir'd should be capitally punish'd. *Vane* made several exceptions to the indictment; and, among other things, said, 'Here is a long time of action for which I am 'charged; and I may be concerned for what I acted as 'a member in that sovereign court of parliament; and 'if any thing concerns the jurisdiction of that court, 'I ought not to be judged here (r).' The court and council at this took great offence. However, upon his pleading Not guilty, four days were allowed him to prepare himself for his trial.

(r) State
Trials, vol.
ii. p. 434.
fol. Lond.
1730.

On the day appointed, the prisoner was brought to the bar; where the attorney general opened the charge, and witnesses were called in support of it. Sir *Henry* then was required to make his defence: which he did with great freedom, spirit, and bravery. Among other things, he said, 'If he should be now called in 'question for those things which were transacted in that 'parliament, of which he was a member; he should
'have

‘ have the comfort and peace of those actions to support him in his greatest sufferings.’ He added, ‘ That if he were excepted [from pardon], then must he be judged for the crime of the whole nation ; and that crime must be ravelled into through him : that the case is such as never yet fell out ; to wit, that the government being entrusted to three estates, they should so fall out among themselves, as the people cannot tell which to obey : that where these great changes fall out, it is not possible for any ~~man~~ to proceed according to all formalities of law : that there was a political power, by the act of 17 *Caroli*, co-ordinate with the king ; and where these powers are not in conjunction, but in enmity to each other, no court, inferior to the parliament, by whose authority these things were acted, ought to be judges of this case, which certainly never happened before. — He, moreover, offered these points to be considered, and pray’d earnestly to have council assigned him to speak to them.

‘ 1. Whether the collective body of the parliament can be impeached of high treason ?

‘ 2. Whether any person, acting by authority of parliament, can (so long as he acted by that authority) commit treason ?

‘ 3. Whether matters, acted by that authority, can be called in question in an inferior court ?

‘ 4. Whether a king *de jure*, and out of possession, can have treason committed against him, he not being king *de facto*, and in actual possession ?’

It may very easily be supposed, that all these questions were determined by crown law ; and that the prisoner, notwithstanding all he could say, was found guilty of

high treason. On this, his majesty was determined, notwithstanding his promise, to avail himself of the verdict : as appears by the following copy of an original letter, written from ‘*Hamton Court, Saturday, two*’ in the afternoone.

‘ The relation that hath been made to me of Sir *H. Vane*’s carriage yesterday, in the Hall, is the occasion of this letter ; which, if I am rightly informed, was so insolent as to justify all he had done, acknowledging no supream power in *England* but a parl. and many things to that purpose. You have had a true account of all ; and if he has given new occasion to be hanged, certaynly he is too dangerous a man to lett live, if we can honestly put him out of the way. Thinke of this, and give me some accounte of it to-morrow : till when I have no more to say to you (s).’

(s) In the possession of James West, of Covent Garden, Esq:

‘ To the Chancellour.’

This letter, it is apparent, was written *June 7, 1662* ; and that day se’nnight Sir *Henry Vane* was beheaded on *Tower-hill* : where he behaved in a manner worthy of himself, and the cause of Liberty in which he had embarked. The king’s letter needs no comment. — Lord *Clarendon* has not taken notice of any part of this affair. — *Lambert*, at the same time, was condemned ; but reprieved, and afterwards banished for life. And, it is very probable, *Hafilrig* would have paid dearly for his past transactions, had not death seized on him in the *Tower* : for, after his death, his transactions were reported to the house of commons ; and it was resolved, *nem. con.* that Sir *A. Hafilrig* was guilty of high treason ; and that all his estate, real and personal, be confiscate and forfeited for the said treason : though an address

was,

was, at the same time, resolved to be made to his majesty, by petition, to restore his estate, in pursuance of the Duke of *Albemarle's* [*Moncke's*] engagement (t).

(t) Journal, July 11, 1661.

The imprisonment of these three men, even before it was certainly known what their fate would be, made *Algernon Sydney* determine to tarry abroad, contrary to the first advice of his friends. 'I have ever had in my mind,' says that upright and virtuous man, 'that when God shall cast me in such a condition, as that I cannot save my life but by doing an indecent thing; he shews me, the time is come wherein I should resign it. And when I cannot live in my own country, but by such means as are worse than dying in it; I think he shews me, I ought to keep myself out of it. Let them please themselves with making the king glorious, who think a whole people may justly be sacrificed, for the interest and pleasure of one man and a few of his followers: let them rejoice in their subtilty, who, by betraying the former powers, have gain'd the favour of this, not only preserv'd, but advanc'd themselves in these dangerous changes. Nevertheless (perhaps) they may find the king's glory is their shame; his plenty, the people's misery: and that the gaining of an office, or a little money, is a poor reward for destroying a nation! (which, if it were preserv'd in liberty and virtue, would truly be the most glorious in the world) and that others may find they have, with much pains, purchased their own shame and misery; a dear price paid for that which is not worth keeping, nor the life that is accompanied with it. The honour of *English* parliaments has ever been in making the nation glorious and happy; not in selling and destroying the interest of it, to satisfy the lusts of one man. Miserable na-

' tion ! that, from so great a height of glory, is fallen
 ' into the most despicable condition in the world, of
 ' having all its good depending upon the breath and
 ' will of the vilest persons in it ! cheated and sold by
 ' them they trusted ! — Infamous traffick ! equal al-
 ' most in guilt to that of *Judas* ! In all preceding ages,
 ' parliaments have been the pillars of our liberty, the
 ' sure defenders of the oppressed. They, who formerly
 ' could bridle kings, and keep the ballance equal be-
 ' tween them and the people, are now become the in-
 ' struments of all our oppressions, and a sword in his
 ' hand to destroy us. They themselves led by a few
 ' interested persons, who are willing to buy offices by
 ' themselves, by the misery of the whole nation, and the
 ' blood of the most worthy and eminent persons in it.
 ' Detestable bribes ! worse than the oaths now in fashion
 ' in this mercenary court ! I mean to owe neither my
 ' life nor liberty to any such means : when the inno-
 ' cence of my actions will not protect me, I will stay away
 ' till the storm be overpassed. In short, where *Vane*,
 ' *Lambert*, and *Hastlrigg*, cannot live in safety ; I can-
 ' not live at all. If I had been in *England*, I should
 ' have expected a lodging with them : or, tho' they may
 ' be the first, as being more eminent than I, I must ex-
 ' pect to follow their example in suffering, as I have
 ' been their companion in acting. I am most in amaze
 ' at the mistaken informations that were sent me by my
 ' friends, full of expectations, of favours, and employ-
 ' ments. Who can think that they, who imprison
 ' them, would employ me ; or suffer me to live, when
 ' they are put to death ? If I might live, and be em-
 ' ployed ; can it be expected, that I should serve a go-
 ' vernment that seeks such detestable ways of establish-
 ing

'ing itself? Ah! no: I have not learnt to make my
 'own peace, by persecuting and betraying my brethren,
 'more innocent and worthy than myself. I must live
 'by just means, and serve to just ends, or not at all,
 'after such a manifestation of the ways by which it is
 'intended the king shall govern. I should have re-
 'nounced any place of favour, into which the kindness
 'and industry of my friends might have advanced me,
 'when I found those that were better than I were only
 'fit to be destroyed. I had formerly some jealousies:
 'the fraudulent proclamation for indemnity increased
 'them; the imprisonment of those three men, and turn-
 'ing out all the officers of the army, contrary to pro-
 'mise, confirm'd me in my resolutions not to re-
 'turn (u).

What noble sentiments are here! All antiquity cannot
 produce a finer than the letter in which they are con-
 tained: nor do the names of *Brutus*, or *Timoleon*, do
 more honor to antient *Greece* and *Rome*, than *Al-*
gernon Sydney's to *England*. We shall, hereafter, see
 him act with equal dignity in the last scene of life; when
 the injustice of the prince towards him, which is here
 feared, was made conspicuous to all (x).

(u) Brown's
 Letters, vol.
 i. p. 62.
 8vo. Lond.
 1705.

(x) See note
 (FFFF).

' Hail those old Patriots; on whose tongue
 ' Perswasion in the senate hung,
 ' Whilst they this sacred cause maintain'd!
 ' Hail those old Chiefs, to honor train'd;
 ' Who spread, when other methods fail'd,
 ' War's bloody banner, and prevail'd!
 ' Shall men like these, unmention'd, sleep
 ' Promiscuous with the common heap,

D 3

' And

perfect profligates (ccc) to be met with
in

‘ And (Gratitude forbid the crime !)
‘ Be carried down the stream of time
‘ In shoals, unnotic’d and forgot,
‘ On *Lethe’s* stream, like flags, to rot ?
‘ No ! — they shall live : and each fair name
‘ Recorded in the book of Fame,
‘ Founded on honor’s basis, fast
‘ As the round earth to ages last.’ CHURCHILL.

(ccc) *He was most profligate in point of morals.*] Many princes have practiced gallantry ; many kings lived in adultery : but, for the most part, they have had some regard to decency ; some reverence for their characters. — But *Charles* kept no measures : he spoke, and did, those things which are hardly to be mentioned without blushing. Those who will see them revealed, need only read, *Butler’s Court Burlesqued*, *Rochester’s* and *Marvell’s* Satires, and some other poets of the age. Writers of this kind are generally, indeed, supposed to heighten ; but, I believe, if we attend to facts, we shall find them to have exceeded but little on the occasion. — ‘ He was apter to make broad allusions upon any thing that gave the least occasion, than ‘ was altogether suitable with the very good breeding,’ says Lord *Halifax*, ‘ he shewed in most other things. ‘ The company he kept, whilst abroad, had so used him ‘ to that sort of dialect ; that he was so far from thinking it a fault, or indecency, that he made it a matter ‘ of rally upon those who could not prevail upon themselves

in history ; his adulteries being open, abandoned,

‘ selves to join in it. As a man who hath a good stomach loveth, generally, to talk of meat ; so, in the vigour of his age, he began that style, which, by degrees, grew so natural to him, that, after he ceased to do it out of pleasure, he continued to do it out of custom. The hypocrisy of the former times inclined men to think they could not shew too great an aversion to it ; and that helped to encourage this unbounded liberty of talking without the restraints of decency, which were before observed. In his more familiar conversations with the ladies, even they must be passive if they would not enter into it. How far sounds, as well as objects, may have their effects to raise inclination, might be an argument to him to use that style ; or whether using liberty, at its full stretch, was not the general inducement without any particular motives to it (y).’ --- Nor are we to wonder at all at this : since, according to the Duke of *Ormonde*, ‘ his majesty spent most of his time with confident young men, who abhorred all discourse that was serious, and, in the liberty they assumed in drollery and raillery, preserved no reverence towards God or man ; but laughed at all sober men, and even at religion itself (z).’ — Nothing, indeed, if we believe *Clarendon*, could be more abandoned than the companions of this king. — Mr. *May* (of the Privy Purse), speaking of the fire of *London*, hardly then extinguished, ‘ presumed to assure the king, that this was the greatest blessing God had ever conferred upon him, his restoration only except-

(y) ‘ *Character*, p. 30.

(z) *Clarendon's Continuation*, vol. ii, p. 85.

bandoned, and accompanied with cruelties

(a) Id. vol.
iii. p. 675.

(b) Works,
vol. ii. p.
57.

‘ ed : for the walls and gates being now burned and
 ‘ thrown down of that rebellious city, which was al-
 ‘ ways an enemy to the crown, his majesty would ne-
 ‘ ver suffer them to repair and build them up again, to
 ‘ be a bit in his mouth, and a bridle upon his neck ;
 ‘ but would keep all open, that his troops might enter
 ‘ upon them whenever he thought necessary for his ser-
 ‘ vice ; there being no other way to govern the rude
 ‘ multitude, but by force (a).’ — What a vile mis-
 ‘ creant ! — But to proceed. The Duke of *Buck-*
ingham observes, ‘ that, in his pleasures, he was rather
 ‘ abandoned than luxurious ; and, like our female li-
 ‘ bertines, apter to be debauched for the satisfaction of
 ‘ others ; than to seek, with choice, where most to
 ‘ please himself. I am of opinion also, that, in his lat-
 ‘ ter times, there was as much of laziness as of love, in
 ‘ all those hours he passed among his mistresses : who,
 ‘ after all, served only to fill up his seraglio ; while a
 ‘ bewitching kind of pleasure, called sauntering, and
 ‘ talking without any constraint, was the true Sultana
 ‘ Queen he delighted in (b).’ — *Burnet* is of opinion,
 ‘ that the ruin of his reign, and of all his affairs, was
 ‘ occasioned, chiefly, by his delivering himself up, at his
 ‘ first coming over, to a mad range of pleasure. One
 ‘ of the race of the *Villars*,’ adds he, ‘ then married
 ‘ to *Palmer*, soon after made Earl of *Castlemain*, who
 ‘ afterwards being separated from him, was advanced to
 ‘ be Duchess of *Cleveland*, was his first and longest mis-
 ‘ tress, by whom he had five children. She was a wo-
 ‘ man of great beauty, but most enormously vitious and
 ‘ ravenous ;

CHARLES THE SECOND.

41

ties to his queen, which few men, but himself,

‘ ravenous; foolish, but imperious; very uneasy to the king; and always carrying on intrigues with other men, while yet she pretended she was jealous of him. His passion for her, and her strange behaviour towards him, did so disorder him, that often he was not master of himself, nor capable of minding business (c).’ In another place, the same writer says, ‘ He delivered himself up to a most enormous course of vice, without any sort of restraint, even from the consideration of the nearest relations. The most studied extravagancies that way seemed, to the very last, to be much delighted in and pursued by him (d).’ -----

(c) Vol. i.
p. 94.

(d) Id. p.
612.

But enough of these general characters. Let us now proceed to facts. — *Charles*, we have seen, whilst abroad, entertained a commerce with the sex. On his Restoration, *Mrs. Palmer* became his mistress: but being married to *Catherine of Portugal*, May 21, 1662, it was naturally expected that he would break with the mistress, or, at least, keep his acquaintance with her as private as possible. But marriage made no alteration in him. So far was he from making a secret of his adultery, that he brought his lady under the queen’s nose, and insisted on her being appointed of the bedchamber. Some persons, it seems, remonstrated to him on the subject: but the effect it had will be seen from the following copy of an original letter, which is known to be genuine by some of the most respectable personages in *England*. It was written to Lord *Clarendon* from *Hamp-*

ton

himself, would have had the heart to
have

ton Court, Thursday morning (without the day of the month, or date of the year), in these terms :

‘ I forgott, when you weare here last, to desire you
‘ give *Brodericke* good counsell not to meddle any more
‘ with what concernes my Lady *Castlemaine*, and to let
‘ him have a care how he is the author of any scandalous
‘ reports ; for if I find him guilty of any such thing, I
‘ will make him repent it to the last moment of his life.
‘ And now I am entered on this matter, I think it very
‘ necessary to give you a little good counsell in it, least
‘ you may think that, by making a farther stirr in the
‘ businesse, you may divert me from my resolution ;
‘ which all the world shall never do : and I wish I may
‘ be unhappy in this world, and in the world to come,
‘ if I faile in the least degree of what I have resolved ;
‘ which is, of making my Lady *Castlemaine* of my wives
‘ bedchamber : and whosoever I find use any endeavours
‘ to hinder this resolution of mine (except it be only to
‘ myself), I will be his enemy to the last moment of my
‘ life. You know how true a friende I have been to you :
‘ if you will oblige me eternally, make this businesse as
‘ easy to me as you can, of what opinion soever you are
‘ of ; for I am resolved to go through this matter let
‘ what will come on it, which again I solemnly swear,
‘ before Almighty God : therefore, if you desire to have
‘ the continuance of my friendship, meddle no more
‘ with this businesse, excepte it be to beate downe all
‘ false and scandalous reports, and to facilitate what I am
‘ sure my honor is so much concerned in ; and whoso-
‘ ever I finde to be my Lady *Castlemaines* enemy in this
‘ matter, I do promise, upon my word, to be his enemy

‘ as

have practised towards the lowest of
the

‘as long as I live. You may shew this letter to my Lord
‘Lieutenant (e); and if you have both a mind to oblige
‘me, carry yourselves like friends in this matter.

‘CHARLES R.’

(e) Or-
monde, ap-
pointed Lord
Lieutenant
of Ireland,
Nov. 4,
1661.

This letter had its effect on the lord chancellor: for it appears, by his own account, that, instead of throwing up his post like a man of honor and virtue, and bidding an everlasting adieu to the court of so infamous a master; instead of doing this, he took on himself the mean and wicked office of attempting to persuade her majesty to comply with the king’s resolution with respect to his mistress (f). The queen, with a spirit which does honor to her character, in several conferences, absolutely refused: and it was not till after receiving the most shocking treatment from his majesty, that she would vouchsafe to have any intercourse with her. Afterwards the lady, for some years, was all-powerful. — But his majesty was far from confining himself to a single mistress; or making a scruple of having it known, that he entertained familiarity with many. In the latter end of his days, in a progress to *Winchester*, he took *Nell Gwin* with him; and Dr. *Ken*’s house, which he held in right of his prebend, was marked for her use: but the Doctor, to his honor, refused her admittance, and she was forced to seek other lodgings (g). ----- The king, indeed, was ashamed of nothing: nor did he care what foreign nations, or his own people, might think or say of him. This is evident from the grant of *Lewis XIV.* of *France*, to the Duchess of *Portsmouth*, of the Duchy
of

(f) Conti-
nuation, vol.
ii. p. 329.
39.

(g) Ken’s
Life, by
Hawkins, p.
9. Svo.
Lond. 1713.

the sex; and which, had he been indeed

of *Abigny*; in which it is recited, ‘that he, in regard to
 ‘the King of *Great Britain*, had, by his letters patent,
 ‘granted to the Lady *Louise Renée de Penencourt de Keroualle*,
 ‘Duchess of *Portsmouth*, the said territory of
 ‘*Aubigny*, with all right to the same belonging, for her
 ‘life; remainder to such of the natural children as she
 ‘shall have by the King of *Great Britain*, in tail male,
 ‘by the said king to be named; remainder to the crown
 ‘of *France*. And whereas the said King of *Great Britain*
 ‘had appointed Prince *Charles Lennox*, Duke of *Richmond*,
 ‘his natural son, Master of the Horse, and Knight
 ‘of the Garter, to succeed the said Duchess of *Portsmouth*
 ‘in the said inheritance; he, the said King of
 ‘*France*, being willing to annex to the said inheritance
 ‘a proper title, and such as should be agreeable to the
 ‘illustrious birth of the said Duke of *Richmond*; and,
 ‘at the same time, to confer honor on the said Duchess
 ‘of *Portsmouth* --- erects the said town, &c. into a dutchy
 ‘and peerdom of *France* (b).’ ——— Madame de *Sevigne*,
 ‘in one of her letters, speaking of this lady, says,
 ‘*Mademoiselle de K----* has not been disappointed in
 ‘any thing she proposed. She desired to be mistress to
 ‘the King [of *England*], and she is so: he lodges with
 ‘her almost every night in the face of all the court: she
 ‘has had a son, who has been acknowledged, and presented
 ‘with two dutchies. She amasses treasure; and makes
 ‘herself feared and respected by as many as she
 ‘can. But she did not foresee that she should find a
 ‘young actress in her way, whom the king doats on;
 ‘and she has it not in her power to withdraw him from
 ‘her,

(b) Collin's
 Peerage, vol.
 i. p. 204.
 last edit.

deed possessed of that great good-nature
for

‘ her. He divides his care, his time, and his health,
‘ between these two. The Actress is as haughty as
‘ Mademoiselle: she insults her, she makes grimaces at
‘ her, she attacks her, she frequently steals the king from
‘ her, and boasts whenever he gives her the preference.
‘ She is young, indiscreet, confident, wild, and of an
‘ agreeable humour. She sings, she dances, she acts her
‘ part with a good grace. She has a son by the king,
‘ and hopes to have him acknowledged. As to Mada-
‘ moiselle, she reasons thus: This duchess, says she,
‘ pretends to be a person of quality: she says, she is re-
‘ lated to the best families in *France*: whenever any per-
‘ son of distinction dies, she puts herself in mourning.
‘ If she be a lady of such quality, why does she demean
‘ herself to be a courtesan? She ought to die with
‘ shame. As for me, it is my profession: I do not pre-
‘ tend to any thing better. The king entertains me;
‘ and I am constant to him at present. He has a son by
‘ me: I pretend that he ought to acknowledge him;
‘ and I am well assured he will, for he loves me as well as
‘ Mademoiselle. This creature gets the upper-hand,
‘ and discountenances and embarrasses the duchess ex-
‘ tremely (i).’ — What a figure must such a prince make
in every discerning eye! Sir *William Throckmorton*, in a
letter to *Coleman*, speaks of ‘ the debauchery of the
‘ king’s house, which,’ adds he, ‘ has made it so odious
‘ to all the nation and the world (k).’ — He was not,
however, to be reclaimed. In his last sickness, ‘ the
‘ Duchess of *Portsmouth* sat in bed, taking care of him
‘ as a wife of a husband; and, with his dying words,
‘ recom-

(i) Letter
XCII.

(k) Cole-
man’s Let-
ters, p. 76.

for which he has been often celebrated,
he

(l) Burnet, vol. i.
p. 607, 609.

‘ recommended her over and over again to his brother.
‘ He said, he had always loved her, and he loved her
‘ now to the last ; and besought the duke, in as melt-
‘ ing words as he could fetch out, to be very kind to
‘ her and to her son. He recommended his other chil-
‘ dren to him : and concluded, Let not poor *Nelly*
‘ starve. This was Mrs. *Gwin* (l)’ [the actresses above-
mentioned].

(m) Prince,
ch. xxix.

Besides these, *Charles* had other mistresses. — *Ma-
chiavel* observes, ‘ that nothing makes a prince more
‘ odious, than usurping the properties, and debauching
‘ the wives of his subjects (m).’ On this his antagonist
remarks, ‘ that a selfish, unjust, violent, and cruel
‘ prince, cannot fail to be hated by his subjects ; but it
‘ is not so with respect to gallantry. *Julius Cæsar*,
continues the illustrious writer, ‘ whom they styled at
‘ *Rome* the husband of all their wives, and the wife of
‘ all their husbands : *Lewis XIV.* who was a great lover
‘ of women : the late *Augustus*, King of *Poland*, who
‘ enjoyed them in common with his subjects : none of
‘ these princes were hated on account of their amours.
‘ And if *Cæsar* was assassinated ; if *Rome*, for its liberty,
‘ plunged so many daggers in his breast ; it was because
‘ *Cæsar* was an usurper, not because he was a man of
‘ gallantry. It may be objected, perhaps, in favour of
‘ our author, that the Kings of *Rome* were expell’d for
‘ the attempt upon the modesty of *Lucretia*. I answer,
‘ it was not the love which young *Tarquin* made to *Lu-
cretia*, but the violent manner in which he made it, that
‘ raised the insurrection at *Rome* : and as this outrage re-
‘ vived

he could not possibly have been guilty of (DDD). — I shall only add, that,
with

‘vived in the memory of the people the other violences
‘committed by the *Tarquins*, they took that opportunity
‘of avenging themselves, and vindicating their liberty.
‘After all, the adventure of *Lucretia* is, perhaps, a
‘meer romance. I am far from saying this by way of
‘excuse for the gallantry of princes, which may be
‘morally bad: I only touch upon it, to shew that gal-
‘lantry does not make a prince odious. The amours
‘of a good king are always deemed a pardonable weak-
‘ness, if they are not attended with injustice and vio-
‘lence. Make love like *Lewis XIV.* or *Charles II.*
‘King of *England*; or *Augustus*, King of *Poland*; and
‘you will be respected and caressed: but beware of imi-
‘tating the amours of a *Nero* or a *David* (n).’ —

(n) Anti-
Machiavel,
p. 209.

Whether the sentiments of *Machiavel*, or his refuter, on this subject, are most agreeable to morality or policy; the reader will determine. I shall only observe, that adultery is always attended with injustice.

(DDD) *Had he been possessed of good-nature, he could not have been guilty of.*] Charles is spoken of, in general,

‘as familiar, easy, and good-natured (o);’ as ‘plea-
‘sant and easy in company; where he bore his part,
‘and was acceptable even to those who had no other
‘design than to be merry with him (p).’ This is his
common character. But the late Lord *Orrery* has ob-
served, ‘that our historians have represented him as a good-
‘natured man; ignorantly, or rather wilfully, mistaking
‘good humour and affability for tenderness and good-
‘nature: neither of which last,’ adds he, ‘are to be
‘reckoned

(o) Shef-
field, vol. ii.
p. 59.

(p) Hali-
fax, p. 32.

with respect to religion, though on all
occasions

(q) Preface
to Orrery's
State Papers.
fol. 1742.

‘reckoned amongst this monarch’s virtues (q).’—Good-
humour and affability are, undoubtedly, very different
from tenderness and good-nature. The former are cul-
tivated by those who are fond of riot; though they will
not risk a moment’s trouble to serve, or save, their most
favourite companions: the latter, by such who retain the
feelings of humanity; and are awake to the calls of honor
virtue, and friendship. --- Abroad, men appear disguised,
for selfish purposes: in private and domestic life, nature
exerts herself, and the real characters are displayed. If
men, in their cool moments, can deliberately do very
hard and cruel things; good-nature cannot possibly be
ascribed to them. — Whether *Charles* was capable of
this, let the reader judge from the following narratives.
— ‘The revenue belonging to the order of the Gar-
‘ter was usually received,’ says Dr. *Pope*, ‘by the chan-
‘cellor; and he paid the Officers, and the Poor Knights
‘of *Windfor*; the surplus the king had formerly granted
‘to Sir *Henry de Vic*; and it was quietly possessed by
‘him till he died; out of which he was to defray the
‘charges and fees of admission of foreign princes, and
‘noblemen, who were elected into that order. For this
‘also the Bishop of *Salisbury* [*Ward*] had the king’s
‘hand; which grant had been firm, and irrevocable,
‘had the bishop sealed it with the seal of the order,
‘which he kept in his possession; or caused it to pass
‘the usual offices, which had been easy for him to have
‘done then, being in much favour at court. But he
‘made use of neither of these corroborations, and after-
‘wards

occasions he professed himself a protestant
of

‘wards smarted for it sufficiently. In the last year of
‘the reign of *Charles II.* and the first of the precipitate
‘decay of the Bishop of *Salisbury*’s intellectuals, some
‘sagacious courtier found out a flaw in this grant;
‘whereupon the bishop was sent for up to *London*, and
‘obliged to refund the utmost penny, which, in so many
‘years, amounted to a considerable sum; all which his
‘majesty took, without any scruple or remorse (*r*).’ ---
We have, in the last note, seen how intent his majesty
was on making *Lady Castlemain* of the queen’s bed-
chamber: we have observed that the queen, with spirit,
rejected the proposal: it remains now to shew how his
majesty treated her, for a refusal which every good man
must necessarily commend. Lord *Clarendon* shall be the
relator; as he cannot be supposed to be prejudiced
against his master. — ‘The king,’ says his lordship,
‘came seldom into the queen’s company: and when he
‘did, he spake not to her; but spent his time in other
‘divertisements, and in the company of those who made
‘it their business to laugh at all the world, and who were
‘as bold with God Almighty as with any of his creatures.
‘He persevered in all his resolutions without any remorse:
‘directed a day for all the *Portugueses* to be embarked,
‘without assigning any considerable thing of bounty to
‘any of them, or vouchsafing to write any letter to the
‘King or Queen of *Portugal* of the cause of the dis-
‘mission of them. And this rigour prevailed upon the
‘great heart of the queen, who had not received any
‘money to enable her to be liberal to any of those who
VOL. II. E ‘had

(*r*) *Life of*
Bish. Ward,
p. 92. 8vo.
London. 1697.

of the Church of *England*, as by law
established;

‘ had attended her out their own country, and promised
 ‘ themselves places of great advantage in her family.
 ‘ And she earnestly desired the king, that she might re-
 ‘ tain some of those who were known to her, and of
 ‘ most use, that she might not be wholly left in the
 ‘ hands of strangers; and employed others to make the
 ‘ same suit to the king on her behalf. Whereupon the
 ‘ Countess of *Penalva*, who had been bred with her
 ‘ from a child, and who, by the infirmity of her eyes,
 ‘ and other indisposition of health, scarce stirred out of
 ‘ her chamber, was permitted to remain in the court;
 ‘ and some few inferior servants in the kitchen and low-
 ‘ est offices, besides those who were necessary to her de-
 ‘ votions, were left behind. All the rest were trans-
 ‘ ported to *Portugal*. The officers of the revenue were
 ‘ required to use all strictness in the receipt of that part
 ‘ of the portion that was brought over with the fleet;
 ‘ and not to allow any of those demands which were
 ‘ made upon the computation of the value of mo-
 ‘ ney, and other allowances upon the account: and
 ‘ *Diego de Silva*, who was designed in *Portugal*, without
 ‘ any good reason, to be the queen’s treasurer, and, up-
 ‘ on that expectation, had undertaken that troublesome
 ‘ province to see the money paid in *London* by what was
 ‘ assigned to that purpose, was committed to prison for
 ‘ not making haste enough in the payment, and in
 ‘ finishing the account: and his commitment went
 ‘ very near the queen, as an affront done to herself.
 ‘ The *Portugal* ambassador, who was a very honest man,
 ‘ and so desirous to serve the king that he had upon the
 ‘ matter

established; yet, it is highly probable,
 he

‘ matter lost the queen; was heart-broken; and after a
 ‘ long sickness, which all men believed would have
 ‘ killed him, as soon as he was able to endure the air,
 ‘ left *Hampton Court*, and retired to his own house in
 ‘ the city. In all this time the king pursued his point;
 ‘ the lady came to the court, was lodged there, was
 ‘ every day in the queen’s presence, and the king in con-
 ‘ tinual conference with her*; whilst the queen sat un-
 ‘ taken notice of: and if her majesty rose at the indig-
 ‘ nity, and retired into her chamber, it may be one or
 ‘ two attended her; but all the company remained in
 ‘ the room she left, and too often said those things aloud
 ‘ which nobody ought to have whispered. The king
 ‘ (who had, in the beginning of this conflict, appeared
 ‘ still with a countenance of trouble and sadness, which
 ‘ had been manifest to every body, and no doubt was
 ‘ really afflicted, and sometimes wished that he had not
 ‘ proceeded so far, until he was again new chafed with
 ‘ the reproach of being governed, which he received
 ‘ with the most sensible indignation, and was commonly
 ‘ provoked with it most by those who intended most
 ‘ to govern him) had now vanquished, or suppressed,

* How expensive the lady was to his majesty, we may learn from Mr. Marvel. — ‘ They have signed and sealed,’ says he, ‘ ten thousand pounds a year more to the Duchess of Cleveland; who has likewise near ten thousand pounds a year out of the new farm of the country excise of beer and ale; five thousand pounds a year out of the post-office; and, they say, the reversion of all the king’s leases, the reversion of all places in the custom-house, the green-wax, and, indeed, what not? All promotions, spiritual and temporal, pass under her cognizance (r).’

he lived for a great number of years,
as

‘ all those tenderneſſes and reluctances, and appeared
 ‘ every day more gay and pleaſant, without any clouds
 ‘ in his face, and full of good-humour; ſaving, that
 ‘ the cloſe obſervers thought it more feigned and affected,
 ‘ than of a natural growth. However, to the queen it
 ‘ appeared very real; and made her the more ſenſible,
 ‘ that ſhe, alone, was left out of all jollities, and not
 ‘ ſuffered to have any part of thoſe pleaſant applications
 ‘ and careſſes, which ſhe ſaw made to almoſt every body
 ‘ elſe; an univerſal mirth in all company but in hers,
 ‘ and in all places but in her chamber; her own ſer-
 ‘ vants ſhewing more reſpect and more diligence to the
 ‘ perſon of the lady, than towards their own miſtreſs,
 ‘ who they found could do them leſs good. The night-
 ‘ ly meeting continued with the ſame or more license;
 ‘ and the diſcourſes which paſſed there, of what argu-
 ‘ ment ſoever, were the diſcourſe of the whole court
 ‘ and of the town the day following: whiſt the queen
 ‘ had the king’s company thoſe few hours which re-
 ‘ mained of the preceding night, and which were too
 ‘ little for ſleep. All theſe mortifications were too
 ‘ heavy to be borne: ſo that, at laſt, when it was leaſt
 ‘ expected or ſuſpected, the queen, on a ſudden, let her-
 ‘ ſelf fall firſt to converſation and then to familiarity,
 ‘ and, even in the ſame inſtant, to a confidence with
 ‘ the lady: was merry with her in publick, talked kindly
 ‘ of her, and in private nobody uſed more friendly.
 ‘ This exceſs of condeſcenſion, without any provoca-
 ‘ tion or invitation, except by multiplication of inju-
 ‘ ries

ries and neglect, and after all friendships were renewed, and indulgence yielded to new liberty, did the queen less good than her former resoluteness had done. Very many looked upon her with much compassion; commended the greatness of her spirit, detested the barbarity of the affronts she underwent, and censured them as loudly as they durst; not without assuming the liberty, sometimes, of insinuating to the king himself, how much his own honour suffered in the neglect and disrespect of her own servants, who ought, at least in publick, to manifest some duty and reverence towards her majesty; and how much he lost in the general affections of his subjects: and that, besides the displeasure of God Almighty, he could not reasonably hope for children by the queen, which was the great if not the only blessing of which he stood in need, whilst her heart was so full of grief, and whilst she was continually exercised with such insupportable afflictions. And many, who were not wholly unconversant with the king, nor strangers to his temper and constitution, did believe that he grew weary of the struggle, and even ready to avoid the scandal that was so notorious, by the lady's withdrawing from the verge of the court, and being no longer seen there, how firmly soever the friendship might be established. But this sudden downfall, and total abandoning her own greatness; this low demeanour, and even application to a person she had justly abhorred and worthily contemned, made all men conclude, that it was a hard matter to know her, and, consequently, to serve her. And the king himself was so far from being reconciled by it, that the esteem, which he could not hitherto but retain in his heart for her, grew now much less. He

‘ concluded, that all her former aversion, expressed in
 ‘ those lively passions, which seemed not capable of dis-
 ‘ simulation, was all fiction, and purely acted to the life,
 ‘ by a nature crafty, perverse, and inconstant. He con-
 ‘ gratulated his own ill-natured perseverance ; by which
 ‘ he had discovered how he was to behave himself here-
 ‘ after, and what remedies he was to apply to all fu-
 ‘ ture indispositions : nor had he, ever after, the same
 ‘ value of her wit, judgment, and understanding, which
 ‘ he had formerly ; and was well enough pleased to ob-
 ‘ serve, that the reverence others had for all three was
 ‘ somewhat diminished (s).’ — No remarks need be

(s) Conti-
 nuation, vol.
 ii. p. 339 —
 343.

made on this narrative. Every humane man must feel
 an indignation arise in his breast against the actor of
 such barbarities. What --- were the feeding of ducks,
 the humming of a song at a public entertainment, or
 mixing in the humours of the company, to counter-
 balance such vile behaviour ? — We may, therefore,
 very easily believe *Burnet*, when he tells us, that the
 king, on his death-bed, ‘ said nothing of the queen ;
 ‘ nor any one word of his people, or of his servants (t).’

(t) Vol. i.
 p. 609.

His mind was incapable of sentiments of humanity. A
 selfish he was ; whose thoughts terminated in himself,
 and who regarded none who were not subservient to his
 pleasures. Such characters are not uncommon in life ;
 in the higher parts of it — as, in conformity to cus-
 tom, they must be called : — but they are characters
 which will be despised, and execrated, as long as there
 is sense, or virtue, remaining in the world.

(EEE) He

as he certainly died, a papist (EEE). This,

as

(EEE) *He probably lived, as it is certain he died, a papist.*] There had been suspicions of the king's being a papist, even before his restoration : and these had been increased by the favour shewn to many of the catholic perswasion, after his return. But his majesty always professed himself a zealous protestant, and a foe to the Romish church. In his letter to the Convention parliament, from *Breda*, he talks much of his zeal and concern for the protestant faith. ——— ‘ If you desire,’ says he, ‘ the advancement and propagation of the protestant religion ; we have, by our constant profession, and practice of it, given sufficient testimony to the world, that neither the unkindness of those of the same faith towards us, nor the civilities and obligations from those of a contrary profession (of both which we have had abundant evidence), could in the least degree startle us, or make us swerve from it ; and nothing can be proposed to manifest our zeal and affection for it, to which we will not readily consent : and we hope, in due time, ourself to propose somewhat to you for the propagation of it, that will satisfy the world, that we have always made it both our care, and our study, and have enough observed what is most like to bring disadvantage to it.’ Thus also, in a message, sent by him to the house of lords, to be imparted to the house of commons, *Ap. 2, 1663*, his majesty ‘ declares, and assures both his houses of parliament, and all his loving subjects of all his dominions, that as his affection and zeal for the protestant religion hath not been concealed or untaken notice of

as it was a matter of great triumph
to

(u) Journals of the
House of
Commons.

‘ in the world ; so he is not, nor will ever be, so solicitous for the settling his own revenue, or providing any other expedients for the peace and tranquillity of the kingdom, as for the advancement and improvement of the religion established, and for the using and applying all proper and effectual remedies to hinder the growth of popery (u).’ — And in his speech to the parliament, *March 6, 1678, O. S.* he says, ‘ I will with my life defend both the protestant religion and the laws of this kingdom.’ — But notwithstanding these public professions, it is probable, he was a papist in his heart. For *Burnet* affirms, ‘ that before King *Charles* left *Paris*, he changed his religion ; but by whose persuasion is not yet known : only Cardinal *de Retz* was on the secret, and Lord *Aubigny* had a great hand in it. It was kept a great secret. Chancellor *Hyde* had some suspicions of it, but would never suffer himself to believe it quite. Soon after the Restoration, that cardinal came over in disguise, and had an audience of the king : what passed is not known. The first ground I had to believe it was this : the Marquis *de Roucy*, who was the man of the greatest family in *France* that continued protestant to the last, was much pressed by that cardinal to change his religion. He was his kinsman, and his particular friend. Among other reasons, one that he urged was, that the protestant religion must certainly be ruined ; and that they could expect no protection from *England* : for, to his certain knowledge, both the princes
‘ were

to the roman-catholics, so was it a great
blow

‘ were already changed. *Roucy* told this in great confidence to his minister; who, after his death, sent an advertisement of it to myself. Sir *Allen Broderick*, a great confidant of the chancellor’s, who, from being very atheistical, became in the last years of his life an eminent penitent, as he was a man of great parts, with whom I had lived long in great confidence, on his death-bed sent me likewise an account of this matter, which he believed was done at *Fontainebleau*, before King *Charles* was sent to *Colen* (x).’ Lord *Halifax* says, ‘ Some pretend to be very precise in the time of his reconciling; the Cardinal *de Retz*, &c. I will not enter into it minutely; but whenever it was, it is observable, that the government of *France* did not think it adviseable to discover it openly: upon which such obvious reflexions may be made, that I will not mention them. Such a secret can never be put into a place, which is so closely stopt that there shall be no chinks. Whispermongers went about, particular men had informations. *Cromwell* had his advertisements in other things; and this was as well worth his paying for. There was enough said of it to startle a great many, though not universally diffused: so much, that if the government here had not crumbled of itself, his right alone, with that and other clogs upon it, would hardly have thrown it down. I conclude, that when he came into *England* he was as certainly a roman catholic, as that he was a man of pleasure; both very consistent by visible experience. — The roman catholicks complained

(x) Vol. i.
P. 73.

blow to those who had had the impudence,

‘plained of his breach of promise to them very early.
 ‘There were broad peepings out; glimpses so often repeated, that to discerning eyes it was glaring. In the
 ‘very first year there were such suspicions as produced
 ‘melancholy shakings of the head, which were very significant. His unwillingness to marry a protestant,
 ‘though both the Catholick and the Christian crown
 ‘would have adopted her. Very early in his youth,
 ‘when any *German* princess was proposed, he put off the
 ‘discourse with rallery. A thousand little circumstances
 ‘were a kind of accumulative evidence, which in these
 ‘cases may be admitted. Men that were earnest protestants, were under the sharpness of his displeasure,
 ‘expressed by rallery, as well as by other ways. Men
 ‘near him have made discoveries from sudden breakings
 ‘out in discourse, &c. which shewed there was root.
 ‘It was not the least skilful part of his concealing himself, to make the world think he leaned towards an
 ‘difference in religion. He had sicknesses before his
 ‘death; in which he did not trouble any protestant divines. Those who saw him upon his death-bed, saw
 ‘a great deal (y).’ The Duke of *Buckingham*, however, seems not willing to allow him to have been a
 ‘roman catholic; at least not till the last scene of his life. His account cannot, consistently with the impartiality
 ‘of history, be omitted.—Here, therefore, are his words.
 ‘I dare, confidently, affirm his religion to be only that
 ‘which is vulgarly (tho’ unjustly) counted none at all:
 ‘I mean, deism. And this uncommon opinion he owed
 ‘ed

(y) Character, p.
 6---11.

pudence, on all occasions, to assert his
regard

‘ed more to the liveliness of his parts, and carelessness
‘of his temper, than either to reading or much confi-
‘deration: for his quickness of apprehension, at first
‘view, could discern thro’ the several cheats of pious
‘pretences; and his natural laziness confirmed him in
‘an equal mistrust of them all, for fear he should be
‘troubled with examining which religion was best. If
‘in his early travels, and late administration, he seem’d a
‘little biassed to one sort of religion; the first is only
‘to be imputed to a certain easiness of temper, and a
‘complaisance for that company he was then forced to
‘keep; and the last was no more than his being tired
‘(which he soon was in any difficulty) with those bold
‘oppositions in parliament; which made him almost
‘throw himself into the arms of a roman catholick par-
‘ty, so remarkable in *England* for their loyalty, who
‘embraced him gladly, and lulled him asleep with those
‘enchancing songs of absolute sovereignty, which the
‘best and wisest of princes are often unable to resist,
‘And tho’ he engaged himself on that side more fully
‘at a time when it is in vain and too late to dissemble;
‘we ought less to wonder at it, than to consider that
‘our very judgments are apt to grow in time as partial
‘as our affections: and thus by accident only, he be-
‘came of their opinion, in his weakness, who had so
‘much endeavoured, always, to contribute to his
‘power (z).’ — A man disposed to criticise, has here
an ample field for it. The causes and uncommonness
of deism; the loyalty of *English* roman catholics; and

(z) Works,
vol. ii. p.
55.

regard to the national religion : a blow
yet

the accidental embracing an opinion different from what we have been wont to entertain in religion, in the article of death ; are so glaringly absurd, that nothing but his grace's character, as a poet, can excuse them. I have not leisure, however, more particularly to examine them ; and therefore shall content myself with observing, that, though this writer begins with affirming that *Charles* was a deist, he owns him biassed to popery living, and professing it in the most important moment : which is pretty near the thing which he sets himself to oppose. Such are the privileges of noble authors ! — But there are not wanting other authorities, to render the charge of popery probable against *Charles*. — As early as in *September 2, 1650*, Mr. *Whitlock* tells us of ‘ letters that propositions and motives were presented to ‘ the pope, on the behalf of King *Charles* the Second ; ‘ shewing his good inclinations to the catholicks, by ‘ what he had done in *Ireland* for them, and in other instances ; and desiring from his holiness considerable ‘ sums of money out of his treasury, and that he would ‘ send to all princes and states of the catholick religion ‘ in *Europe*, to contribute to the assistance of King ‘ *Charles* ; with several other thelike proposals, and a copy ‘ of them inclosed in the letters (a).’ Mr. *Thurloe*, in a letter to *Mountague*, afterwards Lord *Sandwich*, dated, *Whitehall, Ap. 28, 1656*, says, ‘ the pretended king — ‘ puts himself and his cause into the hands of the King ‘ of *Spain*, to be managed by him ; and hath declared ‘ himself in private to them to be a roman catholick, as ‘ they call it (b).’ *Thurloe*, we know, had the best intelligence.

(a) P. 469.

(b) *Ormonde's Letters*, vol. ii. p. 102.

yet the more severe, as there were, soon
after

telligence. — Two or three paragraphs from Mr. *Carte's* History of the Duke of *Ormonde*, will, in the opinion of a few, add some farther force to the foregoing proofs. — ‘The duke,’ he tells us, had some suspicions of the kings change of religion, from the time that they removed from *Cologne* into *Flanders*; though he was not fully convinced, till about the time the treaty of the *Pyrenees* was going to be opened. The ‘duke,’ continues this writer, ‘was always a very early riser; and being then at *Brussels*, used to amuse himself, at times others were in bed, in walking about the town, and seeing the churches. Going one morning very early by a church, where a great number of people were at their devotions, he stepped in; and, advancing near the altar, he saw the king on his knees at mass. He readily imagined his majesty would not be pleased that he should see him there; and therefore retired as cautiously as he could, went to a different part of the church near another altar where nobody was, kneeled down, and said his own prayers till the king was gone. Some days afterwards, Sir *Henry Bennet* came to him, and told his grace, that the kings obstinacy, in not declaring himself a roman catholick, put them to great difficulties; that the kings of *France* and *Spain* pressed him mightily to do it, and their ambassadors solicited it daily, with assurances, that if he would make that public declaration, they would both assist him, jointly, with all their powers, to put him on the throne of *England* like a king; that he and others had urged this, and endeavoured to persuade him to
‘ declare

after his death, copies of two letters in
defence

‘ declare himself, but all in vain ; that it would ruin his
 ‘ affairs if he did not do it ; and begged of the Duke of
 ‘ *Ormonde* to join in perswading him to declare himself.
 ‘ The duke said, he could never attempt to perswade his
 ‘ majesty to act the hypocrite, and declare himself to be
 ‘ what he was not in reality. Sir *Henry* thereupon re-
 ‘ plied, That the king had certainly professed himself a
 ‘ roman catholick, and was a real convert ; only he
 ‘ stuck at the declaring himself so openly. The Duke
 ‘ of *Ormonde* answered, He was very sorry for it ; but he
 ‘ could not meddle in the matter : for the king having
 ‘ never made a confidence of it to him, would not be
 ‘ pleased with his knowledge of the change he had made ;
 ‘ and for his own part, he was resolved never to take any
 ‘ notice of it to his majesty, till he himself first made him
 ‘ the discovery. Sometime afterwards, *George*, Earl of
 ‘ *Bristol*, came to the duke, complaining of the folly and
 ‘ madness of *Bennet*, and others about the king, who
 ‘ were labouring to perswade him to what would abso-
 ‘ lutely ruin his affairs. The duke asking what it was ;
 ‘ the other replied, that it was to get the king to declare
 ‘ himself a roman catholick ; which if he once did, they
 ‘ should be all undone : and therefore desired his grace’s
 ‘ assistance to prevent so fatal a step. The Duke of *Or-*
 ‘ *monde* said, It was very strange, that any body should
 ‘ have the assurance to offer to perswade his majesty to
 ‘ declare himself what he was not ; especially in a point
 ‘ of so great consequence. *Bristol* answered, That was
 ‘ not the case, for the king was really a roman catho-
 ‘ lick ; but the declaring himself so, would ruin his af-
 ‘ fairs

defence of the authority of the Church
of

‘fairs in *England*. And as for the mighty promises of
‘assistance from *France* and *Spain*, you, my lord, and I,
‘know very well, that there is no dependence or stress
‘to be laid on them, and that they would give more to
‘get one frontier garrison into their hands, than to get
‘the catholick religion established, not only in *England*,
‘but all over *Europe*: and then desired his grace to join
‘in diverting the king from any thoughts of declaring
‘himself in a point which would certainly destroy his in-
‘terest in *England* for ever, and yet not do him the least
‘service abroad. The duke allowed, that the Earl of
‘*Bristol* judged very rightly in the case; but excused
‘himself from meddling in the matter, because the king
‘had kept his conversion as a secret from him, and it was
‘by no means proper for him to shew that he had made
‘the discovery (c).’ After the Restoration, the king, as
we have seen, professed himself a protestant: but at the
time of his death he took off the mask, and openly ap-
peared to be what he really was. In the paper, entitled,
‘A brief account of particulars occurring at the happy
‘death of our late Sovereign Lord, King *Charles II.* in
‘regard to religion; faithfully related by his then assist-
‘ant, Mr. *Jo. Huddleston* ;’ printed in the second vo-
lume of the State Tracts of this reign; we read, That
‘he [*Huddleston*] being called into the kings bed-cham-
‘ber, the king declared, that he desired to die in the
‘faith and communion of the holy roman catholic church;
‘that he was most heartily sorry for all the sins of his
‘past life; and, particularly, for that he had deferred
‘his reconciliation so long: that through the merits of
‘Christ’s

(c) Vol. iii.
p. 254.

of *Rome*, published by the command of
his

‘ Christ’s passion, he hoped for salvation : that he was in
‘ charity with all the world : that with all his heart he
‘ pardon’d his enemies ; and desired pardon of all those
‘ whom he had any wise offended : and that if it pleased
‘ God to spare him longer life, he would amend it ; de-
‘ testing all sin. I then advertiz’d his majesty,’ says the
writer, ‘ of the benefit and necessity of the Sacrament
‘ of Penance ; which advertizement the king most will-
‘ ingly embracing, made an exact confession of his whole
‘ life, with exceeding compunction and tenderness of
‘ heart : which ended, I desired him, in farther sign of
‘ repentance and true sorrow for his sins, to say, with
‘ me, a little short act of contrition. — This he pro-
‘ nounced with a clear and audible voice : which done,
‘ and his sacramental penance admitted, I gave him ab-
‘ solution. After some time thus spent, I asked his ma-
‘ jesty, if he did not also desire to have the other sacra-
‘ ments of the holy church administered unto him ? He
‘ reply’d, By all means : I desire to be a partaker of all
‘ the helps and succours necessary and expedient for a
‘ catholic christian in my condition. I added, And doth
‘ not your majesty also desire to receive the pretious body
‘ and blood of our dear Saviour, *Jesus Christ*, in the
‘ most holy sacrament of the Eucharist ? his answer was
‘ this : If I am worthy, pray fail not to let me have it. I then
‘ told him, it would be brought to him very speedily, and
‘ desired his majesty, that in the interim he would give me
‘ leave to proceed to the sacrament of Extream Unction ; he
‘ reply’d, With all my heart. I then anoyled him ; which
‘ as soon as performed, I was called to the door, whither
‘ the blessed sacrament was now brought and delivered
‘ to

his brother and successor, and attested
by

‘to me. Then returning to the king, I entreated his
‘majesty, that he would prepare and dispose himself to
‘receive. At which the king, raising up himself, said,
‘Let me meet my heavenly Lord in a better posture
‘than in my bed. But I humbly begg’d his majesty to
‘repose himself. God Almighty, who saw his heart,
‘would accept of his good intention. The king then
‘having recited the forementioned act of contrition with
‘me, he receiv’d the most holy sacrament for his viati-
‘cum (d).’ &c. &c.

(d) P. 28.

This account is confirmed by a letter from *J. Aprice*,
Romish priest, to Mr. *William Lynwood*, in *Deane, Northamptonshire*, dated, *Feb. 16, 1685*. — ‘That God,’
says he, ‘who preserved our late king, of blessed memo-
‘ry, by so many wonderful miracles, all his life-time,
‘did also at his death call him to his mercy, by making
‘him to be reconciled to his holy church; which he did
‘in this manner: The day he fell ill, which was the
‘*Monday*, he was no sooner recovered of his fit, but his
‘trusty loving brother, our now most gracious sovereign,
‘fearing a relapse, put him in mind of his soul; which
‘advice he immediately embraced, and desired no time
‘might be lost in the execution of it. Whereupon
‘Mr. *Huddleston* was commanded to attend incess-
‘antly thereabouts. But the great affairs of the nation
‘coming perpetually before them, time could not possi-
‘bly be found till *Thursday*. But the king, finding his
‘natural strength decay, commanded, of his own ac-
‘cord, all to retire out of the room; telling them, that
‘he had something to communicate to his brother.
‘Then Mr. *Huddleston* being brought in, that great
‘work was done, and with that exactness, that there
VOL. II. F ‘was

by him to be found in *Charles's* strong box,

‘ was nothing omitted either necessary or decent : and, as Mr. *Huddleston* himself has told me, by a particular instance of God’s grace, the king was as ready and apt in making his confession, and all other things, as if he had been brought up a catholick all his life-time : and from that moment till eight of the clock the next day, at which time his speech left him, he was heard to say little but begging Almighty God’s pardon for all offences, and the like : so that we may joyfully say, God have mercy of his soul, and make him eternally participant of his kingdom of heaven (e).’ — There, probably, was no occasion for God’s grace to make ‘ the king ready and apt in making his confession, and all other things.’ Use and custom had rendered them habitual ; and the ease he had found in them, amidst all his crimes, rendered him, we may well suppose, desirous, at this time, of performing them ; that he might have the mighty comfort of sacerdotal prayers and absolution, and, thereby, a right to the kingdom of heaven. — O Superstition ! thou subduer of the old, and young ; of the ignorant, and men of understanding ; how great is thy power, how amazing thy empire, over the minds of men ! Who could have thought that a prince, so abandoned as *Charles* ; so sensible, and penetrating ; so capable of seeing the ridicule of nonsense and absurdity, and exposing them to standers-by : who could think that this man, who had consented to law which incapacitated all persons, who should affirm that he was a papist, from bearing office (f) ; and had even permitted persons to be punished very severely, for professing that mode of belief : who, I say,

(e) See Appendix.

(f) Stat.
13 Car. II.
c. 1.

box, and in his closet, and written in his own hand (FFF). — These, as they

I say, could think that this very man should be under its influence ; and imagine, the wise and good God would be moved by tricks and fooleries, to forgive such as never strived to resemble him ! But he loved not truth, or virtue. By vice, his understanding was darkened : and he had long lost the only sure guard against delusion, honesty and integrity.

(FFF) *Copies of two letters, found in the king's strong box, written in his own hand.*] The first paper :

‘ The discourse we had the other day, I hoped, satisfied you, in the main, that Christ can have but one church here upon earth ; and I believe, that it is as visible as that the scripture is in print, that none can be that church, but that which is called the roman catholic church. I think you need not trouble yourself with entering into that ocean of particular disputes, when the main, and, in truth, the only question is, where that church is which we profess to believe in the two creeds ? We declare there, to believe one catholic and apostolical church ; and it is not left to every phantastical mans head to believe as he pleases, but to the church, to whom Christ hath left the power upon earth to govern us in matters of faith, who made these creeds for our directions. It were a very irrational thing to make laws for a country, and leave it to the inhabitants to be the interpreters and judges of those laws : for then every man will be his own judge, and, by consequence, no such thing as either right or wrong. Can we therefore suppose, that God Almighty would

they may be a curiosity to many of my
readers,

‘ leave us at those uncertainties, as to give us a rule to
‘ go by, and leave every man to be his own judge? I
‘ do ask any ingenuous man, whether it be not the same
‘ thing to follow our own phancy, or to interpret the
‘ scripture by it? I would have any man shew me,
‘ where the power of deciding matters of faith is given
‘ to every particular man. Christ left his power to
‘ his church, even to forgive sins in heaven; and left
‘ his spirit with them, which they exercised after his re-
‘ surrection: first, by his apostles, in these creeds; and,
‘ many years after, by the council of *Nice*, where that
‘ creed was made that is called by that name; and by
‘ the power which they had received from Christ, they
‘ were the judges even of the scripture itself many years
‘ after the apostles, which books were canonical and
‘ which were not. And if they had this power then, I
‘ desire to know, how they came to lose it, and by what
‘ authority men separate themselves from that church?
‘ The only pretence I ever heard of was, because the
‘ church had failed in wresting and interpreting the
‘ scripture contrary to the true sense and meaning of it, and
‘ that they have imposed articles of faith upon us which are
‘ not to be warranted by God’s word. I desire to know
‘ who is to be judge of that; whether the whole church,
‘ the succession whereof has continued to this day with-
‘ out interruption; or particular men, who have raised
‘ schisms for their own advantage?

‘ This is a true copy of a paper I found in the
‘ late king my brothers strong box, written
‘ in his own hand.

readers, I will give below in the note. —

Such

The Second Paper :

‘ It is a sad thing to consider what a world of heresies
‘ are crept into this nation. Every man thinks himself
‘ as competent a judge of the scriptures, as the very
‘ apostles themselves : and ’tis no wonder that it should
‘ be so ; since that part of the nation, which looks most
‘ like a church, dares not bring the true arguments
‘ against the other sects, for fear they should be turned
‘ against themselves, and confuted by their own argu-
‘ ments. The Church of *England* (as ’tis call’d) would
‘ fain have it thought, that they are the judges in mat-
‘ ters spiritual, and yet dare not say positively that there
‘ is no appeal from them : for either they must say that
‘ they are infallible (which they cannot pretend to), or
‘ confess that what they decide in matters of conscience,
‘ is no further to be followed than it agrees with every
‘ mans private judgment. If Christ did leave a church
‘ here upon earth, and we were all once of that church ;
‘ how ? and by what authority did we separate from that
‘ church ? If the power of interpreting of scripture be
‘ in every mans brain, what need have we of a church
‘ or church-men ? To what purpose then did our Sa-
‘ viour, after he had given his apostles power to bind and
‘ loose in heaven and earth, add to it, that he would be
‘ with them even to the end of the world ? These
‘ words were not spoken parabolically, or by way of fi-
‘ gure. Christ was then ascending into his glory, and
‘ left his power with his church even to the end of the
‘ world. We have had, these hundred years past, the

Such was the personal character of this prince :

‘ sad effects of denying to the church that power, in
 ‘ matters spiritual, without an appeal. What country
 ‘ can subsist in peace or quiet, where there is not a su-
 ‘ pream judge from whence there can be no appeal?
 ‘ Can there be any justice done where the offenders are
 ‘ their own judges, and equal interpreters of the law
 ‘ with those that are appointed to administer justice?
 ‘ This is our case here in *England* in matters spiritual;
 ‘ for the protestants are not of the Church of *England*,
 ‘ as ’tis the true church from whence there can be no
 ‘ appeal; but because the discipline of that church is
 ‘ conformable at that present to their fancies, which, as
 ‘ soon as it shall contradict or vary from, they are ready
 ‘ to embrace or join with the next congregation of peo-
 ‘ ple whose discipline and worship agrees with their opi-
 ‘ nion at that time: so that, according to this doctrine,
 ‘ there is no other church, nor interpreter of scrip-
 ‘ ture, but that which lies in every mans giddy brain.
 ‘ I desire to know, therefore, of every serious considerer
 ‘ of these things, whether the great work of our salvation
 ‘ ought to depend on such a sandy foundation as this?
 ‘ Did Christ ever say to the civil magistrate (much less
 ‘ to the people), that he would be with them to the end
 ‘ of the world? Or, did he give them the power to for-
 ‘ give sins? *St. Paul* tells the *Corinthians*, Ye are Gods
 ‘ husbandry, ye are Gods building; we are labourers
 ‘ with God. This shews who are the labourers, and
 ‘ who are the husbandry and building: and in this
 ‘ whole chapter, and in the preceding one, *S. Paul* takes
 ‘ great pains to set forth that they, the clergy, have the
 ‘ spirit

prince ; under whom, therefore, it is easy
to

‘ spirit of God, without which no man searcheth the deep
‘ things of God. And he concludeth the chapter with
‘ this verse : “ For who hath known the mind of the
‘ Lord, that he may instruct him ? But we have
‘ the mind of Christ.” ‘ Now if we do but consider, in
‘ humane probability and reason, the powers Christ leaves
‘ to his church in the gospel, and *St. Paul* explains so
‘ distinctly afterwards, we cannot think that our Saviour
‘ said all these things to no purpose : and pray consider,
‘ on the other side, that those who resist the truth, and
‘ will not submit to his church, draw their arguments
‘ from implications, and far-fetched interpretations, at
‘ the same time that they deny plain and positive words ;
‘ which is so great a disingenuity, that ’tis not almost to
‘ be thought that they can believe themselves. Is there
‘ any other foundation of the protestant church, but
‘ that, if the civil magistrate please, he may call such
‘ of the clergy as he thinks fit for his turn at that time ;
‘ and turn the church either to presbytery, independen-
‘ cy, or, indeed, what he pleases ? This was the way
‘ of our pretended reformation here in *England* ; and, by
‘ the same rule and authority, it may be altered into as
‘ many more shapes and forms as there are fancies in
‘ mens heads.

‘ This is a true copy of a paper written by
‘ the late king, my brother, in his own hand,
‘ which I found in his closet *.’

* Published by his majesty’s command. Lond. Printed by Henry Hills,
printer to the king’s most excellent majesty, for his household and chapel.
1686.

to believe, popery was highly favoured,
and

These papers, as it may be supposed, did not long remain without answers. *Stillington* and *Burnet*, able controvertists, made their remarks on them. The latter of whom expresses himself about them in the following manner: — ‘I pay all the reverence that is due to a crown’d head, even in ashes, to which I will never be wanting: far less am I capable of suspecting the royal attestation that accompanies them; of the truth of which, I take it for granted, no man doubts. But I must crave leave to tell you, that, I am confident, the late king only copied them, and they are not of his composing: for as they have nothing of that free air with which he expressed himself, so there is a contexture in them that does not look like a prince: and the beginning of the first shews it was the effect of a conversation, and was to be communicated to another: so that I am apt to think they were composed by another, and were so well relished by the late king, that he thought fit to keep them, in order to his examining them more particularly; and that he was prevailed with to copy them, lest a paper of that nature might have been made a crime, if it had been found about him written by another hand: and I could name one or two persons, who as they were able enough to compose such papers, so had power enough over his spirit to engage him to copy them, and to put themselves out of danger by restoring the original (g).’ — He, afterwards, takes notice of his having had the honor to discourse copiously of these matters with the late king himself, and of his majesty’s

(g) Burnet’s Collection of Papers, p. 188. 4to. Lond. 1689.

and the professors of it cherished and
encou-

jefty's having proposed to him some of the particulars he found in those papers.

This is explained more fully in the 'History of his own Time.' — 'The two papers found in his strong box,' says the bishop, 'concerning religion, and afterwards published by his brother, looked like study and reasoning. *Tennison* told me, he saw the original in *Pepy's* hand, to whom King *James* trusted them for some time. They were interlined in several places: and the interlinings seemed to be writ in a hand different from that in which the papers were writ. But he was not so well acquainted with the king's hand, as to make any judgment in the matter, whether they were writ by him or not. All that knew him, when they read them, did, without any sort of doubting, conclude that he never composed them: for he never read the scriptures, nor laid things together, further than to turn them to a jest, or for some lively expression. These papers were probably writ either by Lord *Bristol*, or by Lord *Aubigny*, who knew the secret of his religion, and gave him those papers as abstracts of some discourses they had with him on those heads, to keep him fixed to them. And it is very probable that they, apprehending their danger if any such papers had been found about him writ in their hand, might prevail with him to copy them out himself, tho' his laziness that way made it certainly no easy thing to bring him to give himself so much trouble. He had talked over a great part of them to myself: so that as soon as I saw them I remembered his expressions, and
' perceived

(b) Vol. i.
p. 614.

‘perceived that he had made himself master of the argument as far as those papers could carry him (b).’ — Lord *Halifax* judges, ‘he might write these papers. ‘Though,’ adds he, ‘neither his temper nor education made him very fit to be an author; yet, in this case (a known topick, so often repeated), he might write it all himself, and yet not one word of it his own. ‘That church’s argument doth so agree with men unwilling to take pains, the temptation of putting an end to all the trouble of enquiring is so great, that it must be very strong reason that can resist. The king had only his meer natural faculties, without any acquisitions to improve them: so that it is no wonder, if an argument, which gave such ease and relief to his mind, made such an impression, that, with thinking often on it (as men are apt to do of every thing they like), he might, by the effect chiefly of his memory, put together a few lines with his own hand, without any help at the time; in which there was nothing extraordinary, but that one so little inclined to write at all, should prevail with himself to do it with the solemnity of a casuist (i).’ — Whoever was the writer, the papers have very little merit: nor will any one pay attention to the arguments contained in them, who has sense enough to perceive, that every honest inquirer after truth is infallibly sure of being right, with respect to himself. — ‘Every mans reason,’ says *Bolingbroke*, ‘is every mans oracle. This oracle is best consulted in the silence of retirement: and when we have so consulted, whatever the decision be, whether in favour of our prejudices or against them, we must rest satisfied: since nothing can be more certain than this, that he who follows that guide in the search of truth, as that was given him

(i) Character,
p. 11.

encouraged (GGG); contrary to the sense,
and

‘him to lead him to it, will have a much better plea
‘to make, whenever or wherever he may be called to
‘account, than he who has resigned himself, either de-
‘liberately or inadvertently, to any authority upon
‘earth (k).’

(GGG) *Popery was favoured, and its professors cherished and encouraged.*] That this is no false accusation, will appear by the most unquestionable authorities. — Father *Walsh*, in his ‘Preparation to his Apology touching the Oath of Supremacy,’ printed at *London*, 1684, tells us, ‘that, about the year 1661, one Sunday morning, very early, being sent for by one of the first lords of the kingdom, amongst other things, this great personage spoke to him as followeth: Father *Walsh*, now is the time for you to reap the fruit of your long painful endeavours, your fidelity and patience, and the expectations you have had of us for many years. I can tell you, that we are now going to do what you have laboured so much for: viz. we are going to abolish all the laws which have been made in this kingdom against catholics, and procure them the public exercise of their religion; admission into all offices, civil and military; and a dispensation for taking the Oath of Supremacy. — We shall manage so, that they shall have forty in *London*, where they may say mass undisturbed for the future. — We are going to chuse some members of the house of lords to demand the abolition of the laws against roman catholics, before the present parliament rises. — But because the presbyterian members will oppose such a
‘measure,

(k) Letters
on the study
and use of
History, vol.
ii. p. 220.
8vo. Lond.
1752.

and repugnant to the interest, of the kingdom :

‘ measure, pretending that the safety of the state is in-
 ‘ compatible with the toleration of a party that owns
 ‘ no other superior but the pope : — Therefore, my
 ‘ good father, you must without delay, in going from
 ‘ house to house, engage all the catholics to promise to
 ‘ take the oath of allegiance, which will stop the mouths
 ‘ of the presbyterian lords, &c. The author informs
 ‘ us afterwards, of the pains which he took to dispose
 ‘ the catholics to take the oath of allegiance, and of the
 ‘ misfortune which caused that three persons, under the
 ‘ influence of the jesuits, procured the Earl of *Bristol*
 ‘ to be named to plead the cause of the whole party in
 ‘ the upper house of parliament. The earl performed
 ‘ his part with a great deal of eloquence ; but his con-
 ‘ clusion marr’d the whole, because he offer’d only a
 ‘ model of the oath, curtailed and maimed with many
 ‘ restrictions.—He remarketh further, that the catholic
 ‘ lords acted with great zeal ; and particularly laid stress
 ‘ on this, that none of the romish communion had taken
 ‘ arms against the royal party during the late civil war.
 ‘ But that it was replied upon them, that the catholics
 ‘ had rebelled in *Ireland*, in 1641, in the most outragi-
 ‘ ous manner : — that in 1646, at the sollicitation of
 ‘ the apostolic nuntio, *John Baptist Riniccini*, they
 ‘ broke the peace which they had concluded with the
 ‘ royalists : and that in 1650, they broke out into ano-
 ‘ ther rebellion, at the instigation of their priests. To
 ‘ which it was added, that the greater part of the catho-
 ‘ lic divines teach, not only as a thing probable or cer-
 ‘ tain, but even as an article of faith, that the pope may
 ‘ depose

kingdom: who, very justly, looked on
the

‘ depose kings as he pleases, when they contradict the
‘ good of the church, or are infected with heresy (l). —

This narrative appears to me very curious, and will
possibly explain what follows from Lord *Halifax*. —

‘ Among all the sorts of men,’ says his lordship, ‘ who ap-
‘ plied themselves to the king, at his first coming home, for
‘ his protection, the papists were not the last, nor, as they
‘ would fain have flattered themselves, the least wel-

‘ come; having their past sufferings, as well as their
‘ present professions, to recommend them. And there

‘ was something that look’d like a particular considera-
‘ tion of them; since it so happened, that the indul-

‘ gence promis’d to dissenters at *Breda*, was carried on
‘ in such a manner, that the papists were to divide with

‘ them; and though the parliament, notwithstanding its
‘ resignation to the crown in all things, rejected, with

‘ scorn and anger, a declaration fram’d for this purpose;
‘ yet the birth and steps of it gave such an alarm, that

‘ mens suspicions, once rais’d, were not easily laid asleep
‘ again (m).’ — Lord *Clarendon*, speaking of this same

‘ affair, says, ‘ With this gracious disposition [towards
‘ the papists] his majesty returned into *England*; and re-

‘ ceived his catholick subjects with the same grace and
‘ frankness that he did his other: and they took all op-

‘ portunities to extol their own sufferings, which they
‘ would have understood to have been for him. And

‘ some very noble persons there were, who had served
‘ his father very worthily in the war, and suffered as

‘ largely afterwards for having done so. But the num-
‘ ber of those was not great; but much greater than of

‘ those

(l) Ex-
tracted from
Bayle’s No-
velles de
la Repub-
lique de Let-
tres, Mois de
June, 1684.
P. 325.

(m) Mis-
cellanies, p.
128. 12mo.
Lond. 1717.

the growth of that abominably-inhuman
super-

‘ those who shewed any affection to him, or for him,
‘ during the time of his absence, and the government
‘ of the usurper. Yet some few there were, even of
‘ those who had suffered most for his father, who did
‘ send him supply when he was abroad, though they
‘ were hardly able to provide necessaries for themselves.
‘ And in his escape from *Worcester*, he received extraor-
‘ dinary benefit by the fidelity of many poor people of
‘ that religion; which his majesty was never reserved in
‘ the remembrance of. And this gracious disposition in
‘ him, did not then appear ingrateful to any. And then,
‘ upon an address made to the house of peers, in the
‘ name of the roman catholicks, for some relaxation of
‘ those laws which were still in force against them; the
‘ house of peers appointed that committee, which is
‘ mentioned before, to examine and report all those pe-
‘ nal statutes, which reached to the taking away the
‘ life of any roman catholick, priest or layman, for his
‘ religion; there not appearing one lord in the house,
‘ who seemed to be unwilling that those laws should be
‘ repealed. And after that committee was appointed,
‘ the roman catholick lords and their friends for some
‘ days diligently attended it, and made their observati-
‘ ons upon several acts of parliament; in which they
‘ desired ease. But, on a sudden, this committee was
‘ discontinued, and never after revived; the roman ca-
‘ tholicks never afterwards being solicitous for it. —
‘ There was a committee chosen amongst them of the
‘ superiours of all orders, and of the secular clergy,
‘ that

superstition, as inconsistent with its safety
and

‘ that fate at *Arundel-house*, and consulted together with
‘ some of the principal lords and others of the prime qua-
‘ lity of that religion, what they should say or do in such
‘ and such cases, which probably might fall out. They
‘ all concluded, at least apprehended, that they should
‘ never be dispensed with in respect of the oaths, which
‘ were enjoined to be taken by all men, without their
‘ submitting to take some other oath, that might be an
‘ equal security of and for their fidelity to the king, and
‘ the preservation of the peace of the kingdom. And
‘ there had been lately scattered abroad some printed pa-
‘ pers, written by some regular and secular clergy, with
‘ sober propositions to that purpose ; and even the form
‘ of an oath and subscription, to be taken or made by
‘ all catholicks ; in which there was an absolute renun-
‘ ciation, or declaration, against the temporal authority
‘ of the pope, which, in all common discourses amongst
‘ the protestants, all roman catholicks made no scruple
‘ to renounce and disclaim. But it coming now to be
‘ the subject-matter of the debate in this committee, the
‘ jesuits declared, with much warmth, that they ought
‘ not, nor could they with a good conscience as catho-
‘ licks, deprive the pope of his temporal authority,
‘ which he hath in all kingdoms granted to him by God
‘ himself, with very much to that purpose ; with which
‘ most of the temporal lords, and very many of the se-
‘ culars and regulars, were so much scandalized, that
‘ the committee being broken up for that time, they
‘ never attended it again ; the wiser and the more con-
‘ scientious men discerning, that there was a spirit in
‘ the

THE LIFE OF

and happiness. To colour over this,
great

‘ the rest that was raised and governed by a passion,
‘ of which they could not comprehend the ground. And
‘ the truth is, the jesuits, and they who adhered to them,
‘ had entertained great hopes from the king’s too much
‘ grace to them, and from the great liberty they en-
‘ joyed ; and promised themselves, and their friends,
‘ another kind of indulgence than they saw was intended
‘ them by the house of peers. And this was the reason
‘ that that committee was no more looked after, nor any
‘ publick address was any further prosecuted. And from
‘ this time there every day appeared so much insolence
‘ and indiscretion amongst the imprudent catholicks,
‘ that they brought so many scandals upon his majesty,
‘ and kindled so much jealousy in the parliament, that
‘ there grew a general averfion towards them (n).’ —
These transactions, in parliament, commenc’d *June*
10th, and ended *July 16th*, 1661 (o) — To go on.
— His majesty, as it is well known, was married to a
roman catholic by a roman catholic, the Lord *Aubigny*;
for it was he who performed the ceremony, though, to
blind the people, an *English* protestant bishop publicly
pronounced them man and wife (p). The account
given of the public marriage of the King with the In-
fanta of *Portugal*, by Lord *Sandwich*, who brought her
over, is curious, and will probably excite some re-
flexions in the mind of the attentive, intelligent reader.
‘ *May 21, 1662,*’ says he, ‘ in the afternoon, the king
‘ and queen came into the presence-chamber [at *Portf-*
‘ *mouth*] upon the throne, and the contract, formerly
‘ made with the *Portugal* ambassador, was read in *Eng-*
‘ *lish* by Sir *John Nicholas*, in *Portuguese* by the *Por-*
‘ *tugal*

(n) Conti-
nuation, vol.
ii. p. 269.

(o) See
Kennet’s
Register.

(p) Id. p.
696.

great zeal was seemingly shewn for the
Church

‘tugal Secretary *de Saire*; after which, the king took
‘the queen by the hand, and (*as I think*) said the
‘words of matrimony appointed in the Common-prayer,
‘the queen also declaring her consent. Then the bishop
‘of *London* [*Sheldon*] stood forth, and made the decla-
‘ration of matrimony in the Common-prayer, and pro-
‘nounced them man and wife, in the name of the Fa-
‘ther, Son, and Holy Ghost (*q*).’ — The Duke of

(*q*) Ken-
net’s Chro-
nicle.

York, brother to the king, was of the romish communion
also, who converted his first, and took to his second
wife, a lady of the same profession. *Bennet*, Earl of *Ar-
lington*, first secretary of state, and afterwards lord
chamberlain; *Clifford*, lord high-treasurer; and many
others; were preferred by this monarch to posts of the
greatest dignity, though they were well known to be
averse to the protestant faith. This filled the people
with dismal apprehensions; especially as many papists,
officers and common men, were employed in the fleet
and army. So that Mr. *Powle*, as we find, said openly,
in the house of commons, ‘Their insolence is the com-
‘plaint in every street. This has filled the minds of the
‘people with apprehensions. They have abused the
‘king’s favour. There are some good and some bad
‘among them. Would have the nation secured of our
‘own religion, especially seeing that some of them have
‘crept into commands and employments (*r*).’ —

Crofts, Bishop of *Hereford*, publicly declared, that
‘’twas then [1679] a year and a half since, in his ca-
‘thedral, he told his sad apprehensions of popish de-
‘signs to destroy both us and our religion. — For

(*r*) Anchi-
tell Grey’s
Debates of
the House of
Commons,
vol. ii. p. 35.
8vo. Lond.
1763.

VOL. II.

G

‘they

Church of *England*, as it had been formerly

(s) Legacy
to his Dio-
cese; in the
dedication.

‘ they [the papists] were then providing horse and arms,
‘ they posted about day and night, they threatned many
‘ that they must ere long turn or burn, and some told
‘ their friends that if it came to cutting of throats they
‘ should be saved; which made it evident, that not only
‘ they had some bloody design, but thought themselves
‘ also sure to effect it. — But now — I hear my
‘ bloody enemies, the jesuitical priests, are resolved, as
‘ soon as they can find opportunity, to hasten my
‘ death (s).’ — The house of commons, moved by
the consideration of these things, presented an address
to his majesty, *March 3, 1672*: in the preamble to
which it is said, ‘ We, your majesty’s most loyal sub-
‘ jects, the commons in this present parliament assem-
‘ bled, being very sensible of the great dangers and mis-
‘ chiefs that may arise within this your majesty’s realm,
‘ by the increase of popish recusants amongst us; and
‘ considering the great resort of priests and jesuits into
‘ this kingdom, who daily endeavour to seduce your ma-
‘ jesty’s subjects from their religion and allegiance; and
‘ how much your loyal subjects are disheartened to see
‘ such popish recusants advanced into employments of
‘ great trust and profit, and especially into military
‘ commands over the forces now in your majesty’s ser-
‘ vice; and having a tender regard to the preservation
‘ of your majesty’s person, and the peace and tranquil-
‘ lity of this kingdom: do, in all humility, desire,’ &c.
In another address, presented by the house of commons,

merly by law established ; the laws made
in

Nov. 29, 1680, they more strongly express themselves.

— ‘ It is not unknown to your majesty,’ say they,
‘ how restless the endeavours, and how bold the attempts,
‘ of the popish party, for many years last past, have been,
‘ not only within this, but other your majesties king-
‘ doms, to introduce the romish and utterly to extirpate
‘ the true protestant religion. — This bloody and
‘ restless party, not content with the great liberty they
‘ had a long time enjoyed to exercise their own religion
‘ privately amongst themselves, to partake of an equal
‘ freedom of their persons and estates with your majesties
‘ protestant subjects, and of an advantage, above them,
‘ in being excused from chargeable offices and employ-
‘ ments, hath so far prevailed as to find countenance
‘ from an open and avowed practice of their superstition
‘ and idolatry, without controul, in several parts of this
‘ kingdom. Great swarms of priests and jesuits have
‘ resorted hither ; and have here exercised their jurisdic-
‘ tion, and been daily tampering to pervert the con-
‘ sciences of your majesties subjects. Their opposers
‘ they have found means to disgrace ; and if they were
‘ judges, justices of the peace, or other magistrates, to
‘ have them turned out of commission : and, in con-
‘ tempt of the known laws of the land, they have prac-
‘ tised upon people of all ranks and qualities, and gain-
‘ ed over divers to their religion ; some openly to pro-
‘ fess it, others secretly to espouse it, as most conduced
‘ to the service thereof. After some time, they became
‘ able to influence matters of state and government ;

G 2

‘ and,

in its disfavour, in the late times, being
abolished;

‘and, thereby to destroy those they cannot corrupt. The
‘continuance or prorogation of parliaments has been
‘accommodated to serve the purposes of that party.

—— Nor was this spoken at random. ——

Lord *Stafford*, before his condemnation, at the bar of
the house of lords, said, ‘My Lords, Since his majes-
‘ties happy restauration, I do conceive, and I think I
‘may safely say it (for you all know it, he was graci-
‘cious and good to all dissenters, particularly to them of
‘the romish church) they [the catholics] had conni-
‘vance and indulgence in their private houses: and I
‘declare to your lordships, I did then say to some that
‘were too open in their worship, that they did play foul
‘in taking more liberty upon them than was fitting for
‘them too (t).’ — And *Coleman*, secretary to the Duke

(t) Tryal,
p. 200. fol.
London,
1680-1.

of *York*, in a letter to the pope’s internuncio, dated,
Aug. 21, 1674, tells him, ‘We have in agitation great
‘designs, worthy the consideration of your friends, and
‘to be supported with all their power, wherein we have
‘no doubt but to succeed; and it may be to the utter
‘ruin of the protestant party, if you join with us in good
‘earnest, and cordially second our enterprizes (u).’ —

(u) Collec-
tion of Let-
ters, p. 8.
fol. Lond.
1681.

In a letter, dated, *Sept. 4th*, following, he writes his
correspondent, ‘The dukes principal design is, to ter-
‘minate this difference [between *France* and *Spain*] by
‘the interposition of the pope; and by that means to
‘establish himself in the possession of his estate through
‘their assistance; and to turn all their cases (which at
‘present are employed to destroy each other) for the
‘ease of the pope’s friends, and particularly for the ca-
‘tholicks of the church, against their great enemies.

‘If

abolished; and episcopacy, in all its pomp
and

‘ If you please to consider the affair as it is, you will
‘ find, that the pope never had an occasion so favoura-
‘ ble, as at this hour, to enrich those of his family, and
‘ to augment the number of his friends ; and if he lets
‘ it slip, he will never find the like : so that if ever they
‘ propose to make use of the treasure of the church, ’tis
‘ now they ought to do it ; for they can demand no-
‘ thing that the duke will not be capable to do for the
‘ pope’s friends (x).’ — The same gentleman, in a <sup>(x) Id. p.
10.</sup> letter to Father *le Chese*, confessor to *Lewis XIV.* de-
clares, ‘ We have here a mighty work upon our hands,
‘ no less than the conversion of three kingdoms ;
‘ and by that, perhaps, the subduing of a pestilent here-
‘ sy, which has domineered over a great part of this
‘ Northern world a long time, There was never such
‘ hopes of success since the death of *Queen Mary*, as
‘ now in our days (y).’ — Such were the hopes of the <sup>(y) Id. p.
113.</sup> catholics ! Such their confidence in the power of those
who favoured and supported them ! We are not to
wonder, after this, if the most cool and sedate men
were alarmed and terrified with the dangers that were
like to befall them, from a sect whose characteristic has
always been persecution ; persecution most bloody. —
By way of supplement to what is here said, I would ob-
serve, that it now was become fashionable with the di-
vines, who chose to be in favour at court, to speak well
of the tricks and juggles of the romish priests. — ‘ I
‘ spoke severally,’ says the *Lady Anne*, wife of the
Duke of *York*, ‘ to two of the best bishops we have in
‘ England [*Sheldon*, Archbishop of *Canterbury*; and
‘ *Blandford*,

‘*Blandford*, bishop of *Worcester*]; who both told me, there were many things in the roman church, which (it were very much to be wished) we had kept; as Confession, which was, no doubt, commanded by God: that praying for the dead, was one of the antient things in Christianity: that, for their parts, they did it daily, though they would not own it: and afterwards, pressing one of them very much upon the other points, he told me, that if he had been bred a catholic, he would not change his religion; but that, being of another church, wherein, he was sure, were all things necessary to salvation, he thought it very ill to give that scandal, as to leave that church wherein he had received his baptism. All these discourses did but add more to the desire I had to be a catholic, and gave me the most terrible agonies in the world (z).’ — No doubt of it. The poison of such doctrines is deadly; and is to be cured only by the exercise of reason and the practice of virtue: which will set men above the delusions, sorceries, and witchcrafts of those, who endeavour to impose on the understanding, in order to enslave the body and the soul. — The same hopeful doctrine was got among some of the ambitious under-clergy. One *Thompson*, of *Bristol*, said, ‘If he were aswell satisfied of other things, as he was of Justification, Auricular Confession, Penance, Extream Unction, and Crisme in Baptism, he would not have been so long separated from the catholic church. And further affirmed, That the Church of *Rome* was the true catholic church; and endeavoured to prove Extream Unction, and Auricular Confession, as well as he could, out of the ‘*Epistles (a)*.’ — Where things of this, and the like nature, are in vogue; popery will find a most ready admission!

(x) Paper written by the late Dukes of York. fol. Lond. 1686.

(a) State Tracts, vol. ii. p. 118.

and splendor (HHH), and the liturgy and ceremonies

mission! For popery is nothing more than a larger heap of these absurdities; mixed up by art, and supported by fraud and cruel.

(HHH) *The Church of England was restored — and none permitted to officiate in it, who could not comply with every punctilio of the Ritual.*] Charles I. had consented to acts for taking away the High Commission Court; and for disenabling all persons, in holy orders, to exercise any temporal jurisdiction or authority.

This was a great blow to the priesthood; and was a forerunner to the abolishment of the hierarchy by the parliament. But as the clergy love power; as for the most part they are greedy, or, at least, somewhat too desirous of those riches which they teach other people to part with and despise; they, with a very ill grace, submitted to these laws, and plainly showed that they only did it because they could not help it. The restoration of episcopacy was, however, never out of the hopes of the ecclesiastical royalists; who were intent on keeping up the order by those means which prudence, and the situation of public affairs, dictated. *Charles* could not refuse to give some encouragement to men who had adhered, though unhappily, to the royal cause: and *Hyde*, who was a firm believer in the apostolical right of this form of church government, and hated heartily every other, was very much intent on it. Nor was much opposition made hereto, even by those who had been deemed its adversaries. The presbyterians, as I have observed, loved power; were enemies to freedom of enquiry, and fond of ecclesiastical revenues: though they thought a more equal

remonies restored with a high hand;
and

distribution of them might and ought to be made, than had been in times past. Yea the bulk of them had no aversion to episcopal power and authority, provided such regulations had been made in fact, as were proposed in his majesty's declaration concerning ecclesiastical affairs (b). And the Liturgy, though long disused, would, on the same terms, have been submitted to by the far greater number of that persuasion. — But union was not what was desired: revenge was aimed at. Notwithstanding the merits of the party, the king's declarations, and the desires of the majority of the people in the kingdom; it was determined to make them feel the weight of power, and deprive them of the means of making further opposition to authority. For this end, the power of the clergy was again restored: in consequence of which, the bishops took their seats in the house of lords; and promoted the cause of those to whom they owed, or from whom hoped, preferment. — Ecclesiastical jurisdiction was revived; the oath *ex officio* only excepted — and an act passed for the 'uniformity of public prayers, 'and administration of the sacraments, and other rites 'and ceremonies: and for establishing the form of making, ordaining, and consecrating of bishops, priests, 'and deacons, in the church of *England* (c).' — By this last act, it is enacted, 'that the Book of Common Prayer shall be used by all ministers in public: that all 'who enjoy any ecclesiastical benefice, shall not only 'openly read, but publickly, before the congregation, 'declare their unfeigned assent and consent to all and 'every thing contained and prescribed in and by the Book 'of Common Prayer.' A declaration was also required from

(b) See note
(ww); and
Reliquiae
Baxterianæ,
part ii. p.
278 -- 283.

(c) Stat 13
& 14 Car. II.
c. 3, 12, 4.

and none permitted to officiate in public,

from them, and even from public and private schoolmasters, that it was not lawful, upon any pretence whatsoever, to take arms against the king: that they abhorred the traitorous position of taking arms by his authority against his person, or against those that are commissioned by him: that they will conform to the Liturgy, as then established: that they do hold, there lies no obligation upon them, or any other person, from the oath, commonly called the Solemn League and Covenant, to endeavour any change or alteration of government in church or state; and that the same was in itself an unlawful oath, and imposed upon the subjects of this realm against the known laws and liberties of the kingdom. — It was moreover required, that all who held livings should be episcopally ordained; and no other form of common prayer in public be used, than what was contained in the said Book of Common Prayer. — All this was very strict. — But the act was passed, and it remained now only to conform, or resign their employments and maintenance. Such as could not do the former, had, however, some hopes given them, that the government would not rigourously insist on the execution of a law so disagreeable to the people in general, and so prejudicial to particular persons; many of whom, it was foreseen, would be distinguished by their piety, virtue, and integrity. — But their hopes were ill-founded. — The ruling clergy were determined now, if possible, to avenge themselves on those from whom they had received, as they thought, ill usage: and *Hyde*, always a bigot, fell in with their views and designs. On

lic, who would not comply, in every
puncti-

— On the 24th of *August*, 1662, such of the ministers as thought it not proper to qualify themselves according to the law, left their livings. Their number has generally been computed at about two thousand; though Lord *Clarendon*, with his wonted regard to truth, says, ‘that after some time, the number was very small, and of very weak and inconsiderable men, that continued refractory, and received no charge in the church: though it may,’ adds he, ‘without breach of charity, be believed, that many, who did subscribe, had the same malignity to the church, and to the government of it; and it may be did more harm, than if they had continued in their inconformity (d):’ What his lordship means, I suppose, is, that many declared their assent and consent to things they did not wholly believe or approve: that they thought many things might be altered for the better: and that impositions on mens consciences were very grievous and abominable. And if this be the meaning, there can be no doubt that it is true. Amidst many thousand divines, if they have indeed considered matters, there will be a very great variety of opinions: and the more freely they think, the less will they like the trammels of almost any establishment; — though — for sundry reasons them thereunto moving — they have submitted to the same. — ‘There are many things in the church,’ said the late most ingenious and learned Dr. *Middleton*, ‘which I wholly dislike; yet while I am content to acquiesce in the ill, I should be glad to taste a little of the good, and to have some amends for that ugly assent and consent

(d) Continuation, vol. ii. p. 306.

punctilio, with the directions of the
Ritual.

‘ sent which no man of sense can approve *.’ — Various have been the opinions that men, at different times, have passed on this act of Uniformity. ‘ It was ‘ no sooner published,’ says the writer just quoted, ‘ than all the presbyterian ministers expressed their disapprobation of it with all the passion imaginable. ‘ They complained that the king had violated the promise made to them in his declaration from *Breda*, ‘ which was urged with great disingenuity, and without ‘ any shadow of right: for his majesty had thereby referred ‘ the whole settlement of all things, relating to religion, ‘ to the wisdom of parliament; and declared, in the mean ‘ time, that nobody should be punished or questioned ‘ for continuing the exercise of his religion in the way ‘ he had been accustomed to in the late confusions. ‘ And his majesty had continued this indulgence by his ‘ declaration after his return, and thereby fully complied ‘ with his promise from *Breda*; which he should indeed ‘ have violated, if he had now refused to concur in the ‘ settlement the parliament had agreed upon; being, in ‘ truth, no less obliged to concur with the parliament ‘ in the settlement that the parliament should propose ‘ to him, than he was not to cause any man to be punished for not obeying the former laws till a new settlement should be made (e).’ This is plausible, but far from solid. — Had the king thought himself obliged to concur with this parliament in the settlement now proposed; why had he not thought himself equally obliged to comply with the desires of the former parlia-

(e) Id. p.
296.

* Letter to Lord Hervey, Sept. 13, 1736. MS. in my possession.

ment,

Ritual. — Thus, under pretence of settling

(f) Id. p.
243.

ment, who had thanked him for his declaration, so conducive to peace, and ordered in a bill for passing it into a law (f)? The court, at this time, had so much influence in the house of commons, as is well known, that nothing could have passed there contrary to its desires. His lordship afterwards says, ‘ There cannot be a greater
‘ manifestation of the distemper and licence of the time,
‘ than the presumption of those presbyterian ministers,
‘ in the opposing and contradicting an act of parliament;
‘ when there was scarce a man in that number who had
‘ not been so great a promoter of the rebellion, or contributed so much to it, that they had no other title to
‘ their lives but by the kings mercy : and there were
‘ very few amongst them who had not come into the
‘ possession of the churches they now held, by the expulsion of the orthodox ministers, who were lawfully possessed of them ; and who being, by their imprisonment,
‘ poverty, and other kinds of oppression and contempt,
‘ during so many years, departed this life, the usurpers
‘ remained undisturbed in their livings, and thought it
‘ now the highest tyranny to be removed from them,
‘ though for offending the law and disobedience to the
‘ government. That those men should give themselves
‘ an act of oblivion of all their transgressions and wickedness, and take upon them again to pretend a liberty
‘ of conscience against the government which they had
‘ once overthrown upon their pretences ; was such an impudence as could not have fallen into the hearts even of
‘ those men, from the stock of their own malice, without
‘ some great defect in the government, and encouragement
‘ ment

settling the peace of the nation, promoting

‘ment or countenance from the highest powers (g).’ — Surely the losers had a right to speak. — Mr. *Locke* gives it as his opinion, ‘that *Bartholomew-day* was fatal to our church and religion; throwing out a very great number of worthy, learned, pious, and orthodox divines, who could not come up to this [non-resistance], and other things, in that act: and it is upon this occasion,’ adds he, ‘worth your knowledge, that so great was the zeal in carrying on this church affair, and so blind was the obedience required, that, if you compute the time in passing this act with the time allowed for the clergy to subscribe the Book of Common Prayer thereby established, you shall plainly find, it could not be printed and distributed so as one man in forty could have seen and read the book they did so perfectly assent and consent to (n).’ And the very worthy, excellent Dr. *Clayton* says, ‘I find, by the words of the act of parliament, which enjoins the declaration of our assent and consent to all things contained in the Book of Common Prayer, that the purport and intent of the act is, that this declaration of assent should be only to the use of those things which are contained in the said book, which is very different from assenting to the things themselves. — How these words, *to the use of*, came to be omitted in the express form of words that are ordered to be read in church for a legal qualification, I cannot say; nor whether they were omitted out of neglect or by design; but I own it seems to me, when I consider the humour of the times when that act was made, that it was done
‘with

(g) Id. p. 298.

(h) Letter to a person of quality; apud *Tor-buck's Parliamentary Debates*, vol. i. p. 73. 8vo. Lond. 1741.

moting and propagating the protestant religion,

‘ with design ; as a snare to oblige poor conscientious
 ‘ men, who did not read the act of parliament at length,
 ‘ to give up their livings rather than declare their unfeigned
 ‘ assent and consent to all and every thing contained in
 ‘ the Book of Common Prayer. For it is to be observ-
 ‘ ed, that this condition was not required by the act of
 ‘ Uniformity, as published in the time of Queen *Eliza-*
 ‘ *beth* ; but was an addition made thereto after the Re-
 ‘ storation of King *Charles* the Second, when the nation
 ‘ was, as it were, mad with the joy of having recovered
 ‘ its antient constitution both in church and state : the
 ‘ little oath therefore, wherein it was declared, that it is
 ‘ not lawful, upon any pretence whatsoever, to take
 ‘ arms against the king, was at the same time inserted
 ‘ into the act of Uniformity. Which part of that act
 ‘ hath been since repealed ; and, indeed, I cannot but
 ‘ sincerely wish, that the other addition, which was made
 ‘ at the same time, was so far rectified, that the words of
 ‘ the declaration should be made to correspond with the
 ‘ design of the act ; which manifestly was, to require
 ‘ the declaration of assent and consent only to *the use of*
 ‘ all and every thing contained in the Book of Common
 ‘ Prayer. Because I think that that solemn declaration,
 ‘ which a clergyman is obliged to make in the presence
 ‘ of God and his congregation, when he is going to take
 ‘ upon himself the care of their souls, ought to be sim-
 ‘ ple, positive, plain ; free from all ambiguity or doubt-
 ‘ fulness : and should be expressed in such a manner, as
 ‘ that it cannot be misunderstood, either by him, or by
 ‘ the congregation : but that he may safely and ho-
 ‘ nestly

religion, uniformity in opinions concern-
ing

‘ nestly make it, according to that plain and ordinary
‘ sense of the words in which they would be commonly
‘ understood by all mankind, without any evasion, equi-
‘ vocation, or mental reservation whatsoever; that is,
‘ without any latent reference to the intention of the
‘ act, which is not expressed in the very words of the
‘ declaration. — But though we should suppose this
‘ was done, and that subscriptions were declared to be
‘ required for peace-sake; yet there is still a difficulty
‘ which remains behind, with regard to those who do
‘ not approve of all the articles of the established reli-
‘ gion, or of every thing in the Liturgy: because it is
‘ natural for them to desire, that those things, which
‘ they take to be errors, should be amended: and yet it
‘ is found, by experience, that whoever attempts to find
‘ fault with the Canons, or the Articles of Religion, or
‘ the established form of Liturgy, becomes immediately
‘ a disturber of the peace of the church, as he is sure, at
‘ least, to be loaded with the opprobrious name of schis-
‘ matic, or heretic; which, ever since the days of po-
‘ pery, are sounds that occasion wondrous horror in the
‘ ears of the vulgar (i).’ — All this seems to proceed
from an honest and a good heart. — But *Conybeare*
does not fall in with it. — ‘ A subscription to ar-
‘ ticles,’ says he, ‘ is a declaration of our belief; and
‘ implies an assent to the truth of those propositions,
‘ which are contained in them. All the considerations,
‘ therefore, which can be urged to prove our obligation
‘ to moral honesty, are so many arguments of our duty
‘ to subscribe without equivocation or reserve: nor can
‘ any

(i) *Essay on*
Spirit; in
the dedicati-
on, p. 12 —
18. 8vo.
Lond. 1752.

ing it, and in the external acts of worshipping

(k) *Cafe of Subscription*,
p. 24. 8vo.
Lond. 1732.

‘ any thing be urged to justify or excuse a prevarication
‘ in this respect, which will not tend to destroy all mutual
‘ trust and confidence amongst men. Whosoever,
‘ therefore, is not really perswaded, that the doctrines
‘ contained in all the articles are true, cannot subscribe,
‘ without an high violation of moral honesty, and a
‘ breaking in upon the fundamental principle on which
‘ all society must be built (k).’ --- This, indeed, seems to
have been the sense of the legislature who enacted the law
under consideration. For we are told, that ‘ on July
‘ 18th, 1663, a bill was sent up from the commons to
‘ the lords, intitled, An Act for the relief of such persons
‘ as by sickness, or other impediment, are disabled
‘ from subscribing the declaration in the act of Uniformity,
‘ and explanation of part of the said act. At
‘ the second reading in the house of lords, it was committed.
‘ Some alterations and amendments were made
‘ by the committee, and a clause added of this tenor:
“ And be it enacted and declared, by the authority
‘ afore said, that the declaration and subscription of
‘ assent and consent, in the said act mentioned, shall be
‘ understood only as to the practice and obedience to the
‘ said act, and not otherwise.” This additional clause
‘ was agreed to by a majority; but twelve lords protested
‘ against it, as destructive of the Church of England
‘ as now established. When the bill was sent back
‘ to the commons, they desired a conference; which
‘ was yielded to by the lords. The commons vehemently
‘ declared against the amendments and alterations
‘ of the lords, and the additional clause: and it was
‘ openly declared, by one of the managers on the part of
‘ the

ing the all-wise and infinitely-benevolent

Father

the commons, That what was sent down to them, touching this bill, had neither justice nor prudence in it. When the conference was over, the lords voted an agreement with the commons, and dropped the additional clause before recited (1). This, I believe, is pretty exact. For, on turning to the Journals of the house of commons, I find, that, on *July* 18th, 1663, an engrossed bill for relief of such as by sickness, or other impediments, were disabled from subscribing the declaration in the act of Uniformity, and for explanation of part of the said act, was read: and, with some amendments, it was resolved, should pass. From the same authority it appears, 'that on the 25th of the said month, the lords returned the said bill, with some amendments and alterations, to which they desired the concurrence of that house; who, not thinking fit to comply, desired a conference with the lords.' Whether the conference was held, or not, cannot be determined from the Journals. But on the next day we find a message from the lords, to acquaint them, 'that they have agreed with the house in their amendments to the said bill.' This put an end to the affair. — To go on. — Be all as it may — certain it is, that uniformity of public prayers, and administration of the sacraments, and other rites and ceremonies, was aimed at; though, as time shewn, to very little purpose. 'I have observed,' says a very worthy dignitary of the church, 'some worshippers in this church, and I have heard of more, who, the moment the minister begins the *Athanasian Creed*, shut their books and sit down till it is finished.

(1) Remarks on Dr. Powell's Sermon on Subscriptions, p. 17. 8vo. Lond. 1758.

VOL. II.

H

' Others

Father of the universe, was attempted
to

‘ Others there are, who signify, by their behaviour,
‘ their dissent to the use of certain imprecations in the
‘ Psalms, as highly improper in a Christian assembly,
‘ whether they who repeat them have any particular ap-
‘ plication for them, or not. There are still more, who
‘ express their embarrassment and dissatisfaction with
‘ other parts of the Liturgy, and make no scruple to de-
(m) Id. p. 26. ‘ clare they never join in it (m).’ — Where there is
no such dissatisfaction at any parts of the public offices,
it is probably owing to very different causes than reason
and consideration. — ‘ Repair,’ says a spirited
writer, ‘ but to the next scene of religious worship, and
‘ contemplate there in your mind what passes in your
‘ view, and the nature of the proceedings: a numerous
‘ congregation, the votaries of an extensive district, and
‘ their strict concurrence to the nicest punctilio in all
‘ the doctrinal points there uttered, and bring me inge-
‘ nuously your true judgment upon the matter. Is it
‘ possible that you will assert, that this harmonious flock
‘ are thus altogether really giving a rational assent to all
‘ these curious articles, and profound theorems, when
‘ your experience, in the mean time, assures you, that
‘ the generality of these unanimous confessors have
‘ never, in their whole lives, bestowed one single thought
‘ in a speculative way, upon the truth or falshood of that
‘ long train of propositions they so liberally avow
‘ You must needs readily grant the contrary, and fall
‘ course into my easy account of this strange proceeding
‘ owning that it can only be the effect of the same spi-
‘ rit, that from the lips of them all contrives to speak the

‘ same

to be established! — In consequence
of

‘ same thing ; that, by this means, though men cannot
‘ be all of one opinion, they may of one faith; which
‘ they hold, not in unity of understanding, but, as our
‘ liturgy well expresses it, in the bond of peace, and
‘ unity of spirit. A distinction that can alone justify
‘ the consistency of the practice, which must be other-
‘ wise unavoidably liable to reproach for its absurdity,
‘ and render its abettors very deservedly obnoxious to
‘ the apostle’s censure of rearing altars to an unknown
‘ God (n).’ — In the preamble to the act of Uni-
‘ formity, complaint is made, ‘ that, by the neglect of
‘ using the Liturgy, great mischiefs and inconveniences
‘ have arisen, and many people have been led into fac-
‘ tions and schisms, to the great decay and scandal of
‘ the reformed religion of the Church of *England*, and to
‘ the hazard of many souls.’ And the same language
has been used, from time to time, by men quite unac-
quainted with the nature of true religion, though they
have talked and written much about it. — ‘ But they
‘ who talk so much of sects and divisions,’ says Mr.
Locke, ‘ would do well to consider too, whether those
‘ are not most authors and promoters of sects and divi-
‘ sions, who impose creeds, ceremonies, and articles, of
‘ mens making ; and make things, not necessary to sal-
‘ vation, the necessary terms of communion ; exclud-
‘ ing and driving from them such as out of conscience
‘ and persuasion cannot assent and submit to them ;
‘ and treating them as if they were utter aliens from
‘ the church of God, and such as were deservedly shut
‘ out as unfit to be members of it : who narrow Christi-

(n) Christi-
anity not
founded on
Argument,
p. 73. 8vo.
Lond. 1746.

of this, great numbers of ecclesiastics
were

‘ anity within bounds of their own making, and which
‘ the gospel knows nothing of; and often for things
‘ by themselves confessed indifferent, thrust men out of
‘ their communion, and then punish them for not be-
‘ ing of it. Who sees not but the bond of unity might
‘ be preserved, in the different perswasions of men con-
‘ cerning things not necessary to salvation, if they were
‘ not made necessary to church-communion? What two
‘ thinking men of the Church of *England* are there,
‘ who differ not one from the other in several material
‘ points of religion? who, nevertheless, are members
‘ of the same church, and in unity one with another.
‘ Make but one of those points the Shiboleth of a party,
‘ and erect it into an article of the national church,
‘ and they are presently divided; and he, of the two,
‘ whose judgment happens not to agree with national
‘ orthodoxy, is immediately cut off from communion.
‘ Who I beseech you is it, in this case, that makes the
‘ sect? Is it not those who contract the Church of
‘ Christ within limits of their own contrivance? who,
‘ by articles and ceremonies of their own forming, se-
‘ parate from their communion all that have not per-
‘ swasions which just jump in with their model! ’Tis
‘ frivolous here to pretend authority. No man has, or
‘ can have, authority to shut any one out of the Church
‘ of Christ, for that which Christ himself will not shut
‘ him out of heaven. Whosoever does so, is truly the
‘ author and promoter of schism and division; sets up
‘ a sect,

were ejected from their livings. ——

But

‘ a sect, and tears in pieces the Church of Christ ; of
‘ which every one, who believes and practices what is
‘ necessary to salvation, is a part and member ; and can-
‘ not, without the guilt of schism, be separated from
‘ or kept out of its external communion. In this *lord-*
‘ *ing it over the heritage of God*, and thus *overseeing* by
‘ imposition on the unwilling, and not consenting, which
‘ seems to be the meaning of *St. Peter*, most of the last-
‘ ing sects, which so mangle Christianity, had their ori-
‘ ginal, and continue to have their support : and were
‘ it not for these established sects under the specious
‘ names of national churches, which, by their contracted
‘ and arbitrary limits of communion, justify against them-
‘ selves the separation and likenarrowness of others,
‘ the difference of opinions, which do not so much be-
‘ gin to be, as to appear and be owned under toleration,
‘ would either make no sect or division ; or else, if they
‘ were so extravagant as to be opposite to what is neces-
‘ sary to salvation, and so necessitate a separation ; the
‘ clear light of the gospel, joined with strict discipline
‘ of manners, would quickly chase them out of the
‘ world. But whilst needless impositions, and most
‘ points in divinity, are established by the penal laws
‘ of kingdoms and the specious pretences of authority ;
‘ what hopes are there, that there should be such a union
‘ amongst Christians, any where, as might invite a rati-
‘ onal *Turk* or Infidel to embrace a religion, whereof he
‘ is told they have a revelation from God, which yet in

But, as many of them, through conscience,

(o) Third
Letter on
Toleration,
p. 83. 4to.
Lond. 1692.

‘ some places he is not suffered to read, and in no place
‘ shall be permitted to understand for himself, or to fol-
‘ low according to the best of his understanding, when
‘ it shall at all thwart (though in things confessed not
‘ necessary to salvation) any of those select points, in
‘ doctrine, discipline, or outward worship, whereof the
‘ national church has been pleased to make up its articles,
‘ polity, and ceremonies (o)?’ — These are confi-
‘ derations of weight with such as regard the true faith,
‘ more than civil utility; the true end for which, if we
‘ believe a certain writer, religion is established. —
‘ Some other effects of establishments are mentioned,
‘ which I think proper to insert, in order to give the
‘ reader a tolerable idea of their nature and tendency.
‘ The moment any religion becomes national or esta-
‘ blished,’ says a very ingenious gentleman, ‘ its purity
‘ must certainly be lost, because it is then impossible to
‘ keep it unconnected with mens interests; and, if con-
‘ nected, it must inevitably be perverted by them.
‘ Whenever temporal advantages are annex’d to any re-
‘ ligious profession, they will be sure to call in all those
‘ who have no religion at all. Knaves will embrace it
‘ for the sake of interest; fools will follow them for the
‘ sake of fashion: and when it is once in such hands,
‘ Omnipotence itself can never preserve its purity.
‘ That very order of men who are maintained to sup-
‘ port its interests, will sacrifice them to their own:
‘ and being in the sole possession of all its promises, and
‘ all its terrors; and having the tenderness of childhood,
‘ the

ence ; others through necessity ; and some,
perhaps,

‘ the weakness of age, and the ignorance of the vulgar,
‘ to work upon : I say, these men, vested with all these
‘ powers, yet, being but men, will not fail to convert
‘ all the mighty influence they must derive from them,
‘ to the selfish ends of their own avarice and ambition ;
‘ and, consequently, to the total destruction of its ori-
‘ ginal purity. From it, they will lay claim to powers
‘ which it never design’d them ; and to possessions, to
‘ which they have no right. To make good these false
‘ pretensions, false histories will be forged, and fabulous
‘ traditions invented : groundless terrors will be flung
‘ out, to operate on superstition and timidity : creeds and
‘ articles will be contrived, to confound all reason : and
‘ tests imposed, to sift out all who have honesty or cou-
‘ rage to resist these unwarrantable encroachments.
‘ Devotion will be turn’d into farce and pageantry, to
‘ captivate mens eyes, that their pockets may with more
‘ facility be invaded. They will convert piety into su-
‘ perstition ; zeal into rancour ; and this religion, not-
‘ withstanding all its divinity, into diabolical malevo-
‘ lence. By degrees, knaves will join them ; fools
‘ believe them ; and cowards be afraid of them : and,
‘ having gain’d so considerable a part of the world to
‘ their interests, they will erect an independent dominion
‘ among themselves, dangerous to the liberties of man-
‘ kind ; and representing all those who oppose their ty-
‘ ranny as God’s enemies, teach it to be meritorious in
‘ his sight to persecute them in this world, and damn
‘ them

perhaps, out of opposition to those from whom they had received such unrighteous usage,

‘ them in another. Hence must arise hierarchies, in-
 ‘ quisitions, and popery : for popery is but the consum-
 ‘ mation of that tyranny which every religious system in
 ‘ the hands of men is in perpetual pursuit of, and whose
 ‘ principles they are all ready to adopt whenever they
 ‘ are fortunate enough to meet with its success. This
 ‘ tyranny cannot subsist without fierce and formidable
 ‘ opposition : from whence innumerable sects, schisms,
 ‘ and dissensions, will lift up their contentious heads,
 ‘ each gaping for that very power which they are fight-
 ‘ ing to destroy, tho’ unable either to acquire or retain
 ‘ it ; and introductive only of their constant concomi-
 ‘ tants, ignorance, self-conceit, ill-breeding, obstinacy,
 ‘ anarchy, and confusion. From these contests, all
 ‘ kinds of evils must derive their existence ; bloodshed
 ‘ and desolation, persecutions, massacres, and martyr-
 ‘ doms. All these evils, you see, are but the necessary
 ‘ consequences of the national establishment of any re-
 ‘ ligion which God can communicate to man, in whose
 ‘ hands its divinity can never long preserve its purity, or
 ‘ keep it unmix’d with his imperfections, his folly, and
 ‘ wickedness (p).’ ——— What a picture ! ———

(p) Free En-
 quiry into
 the nature
 and origin of
 Evil, p. 184.
 12mo. Lond.
 1758.

But notwithstanding all that has or can be said, con-
 cerning the mischiefs and inconveniences of the esta-
 blishment of rites and ceremonies, — and nothing but
 these can possibly be established, — some men are very
 fond of it, as a mean of promoting religion in the
 world. The use of externals, by these gentlemen, is
 much

usage, continued to exercise their functions in private assemblies; and me
wit

much insisted on; and to the neglect of them is imputed the corruption of the age. — ‘The form of religion may indeed be,’ says the late excellent Bishop *Burles*, when commenced churchist, ‘where there is little of the thing itself; but the thing itself cannot be preserved amongst mankind without the form. And this form frequently occurring in some instance or other of it, will be a frequent admonition to bad men to repent, and to good men to grow better; and also the means of their doing so. That which men have accounted religion in the several countries of the world, generally speaking, has had a great and conspicuous part in all publick appearances, and the use of it has been kept up with great reverence throughout all ranks, from the highest to the lowest; not only upon occasional solemnities, but also in the daily course of behaviour. In the heathen world, their superstition was the chief subject of statuary, sculpture, painting, and poetry. It mixt itself with business, civil forms, diversions, domestick entertainments, and every part of common life. The Mahometans are obliged to short devotions five times between morning and evening. In roman catholick countries, people cannot pass a day without having religion call’d to their thoughts by some or other memorial of it; by some ceremony, or publick religious form occurring in their way: besides their frequent holidays, the short prayers they are daily called to, and the occasional devotions
‘injoined

with countenance and encouragement from those to whom they ministered,

as

injoined by confessors. By these means their superstition sinks deep into the minds of the people, and their religion also into the minds of such among them as are serious and well-disposed. Our reformers, considering that some of these observances were in themselves wrong and superstitious, and others of them made subservient to the purposes of superstition, abolished them, reduced the form of religion to great simplicity, and enjoined no more particular rules, nor left any thing more of what was external in religion, than was, in a manner, necessary to preserve a sense of religion itself upon the minds of the people. But a great part of this is neglected by the generality amongst us. For instance: the service of the church, not only upon common days, but also upon saints days: and several other things might be mentioned (q). ——— Degenerate times indeed! times to be lamented and mourned over! Our reformers, by this account, seem to have been much in the wrong, by depriving us of the means the pious catholics, in imitation of their forerunners the heathen priests, had instituted and appointed for our growth in piety and holiness. However, he who calls to mind what pure and undefiled religion is, and is careful to practice it, need not be much troubled in conscience, though he has neglected the service of the church, not only upon common days, but also upon saints days; or even omitted the holy rite of Confirmation on which some very extraordinary persons have talked with great solemnity. For what are these in his eye

—— That

(q) Charge to the Clergy, p. 14. 4to. Lond. 1751.

as well as from persons of moderation and virtue, though of different persuasions :

—— ‘ That *doth* prefer,
‘ Before all temples, th’ upright heart and pure ? ’
MILTON.

But, to put an end to this long, very long note : Non-resistance, by the act of Uniformity, we see, was established ; and the Covenant condemned, which had been taken by his majesty in *Scotland*, and contributed greatly to his restoration. — Colonel *Birch*, in this very house of commons, observed, ‘ after he had the honor to come into this house, some intentions were ‘ to renew the Covenant. *Cromwell*, *Ireton*, and the ‘ rest, would not have it done. He said then, that ‘ these men would alter the government, and the house ‘ then would have sent them to the *Tower*. — He never saw such mettle in this house. He had forty ‘ notes sent him : “ Stick to the Covenant, and you ‘ shall die.” ‘ This was his greatest inducement to ‘ stick to it. — Not one of these men could be ‘ brought to change the government. *Love* lost his life ‘ for it. The presbyterian party declared against the ‘ kings murder. To the restoration of the king all ‘ agreed. Had he not engaged for the king by the Covenant, he had prevented himself twenty-one imprisonments he has suffered. When the king was restored, these were the men we only durst trust (r).’ — A fine return this from a grateful monarch ! to make men renounce what they had sworn to ; and belye their consci-

(r) Grey’s
Parliamentary
Debates,
vol. ii. p. 46.

sions: as this, I say, was the case, various laws were made (III), from time to

consciences, for the preservation of which they had suffered so much, and by so doing had promoted his interest.

(III) *Laws were made against the nonconformists — and rigorously executed by the instigation of the prelates.*] It is said, on good authority, that his late majesty, King George II. in the early part of his reign, did declare, ‘that not an hair of the head of any one of his subjects should be hurt on account of religious opinion, so long as he wore the *British* crown (s).’ A declaration this worthy of so good a prince, and faithfully, if I remember right, adhered to by him. Not so the race of the *Stuarts*. Their choice it was, to fetter the free-born minds of men, and render them obedient to their galling yoke. The severe laws enacted by *Elizabeth*, inheritrix of her father’s tyrannical spirit, on account of religion, were confirmed and enlarged by them, and many an honest and good man smarted under them. The governors of the commonwealth, and *Cromwell*, indeed saw the absurdity and iniquity on which they were founded; and, therefore, made little or no use of them. But when *Charles II.* revisited his native land, and he had got a parliament after his own heart, they soon became again in vogue; and the people found, to their cost, that, like his fathers, he was a persecutor. The act of Uniformity, we have just seen, deprived multitudes of their subsistence on account of their religious opinions; and the acts that followed were far from easing

(s) *Palladium*, p. 123.
8vo. Lond.
1762.

to time, against them and their adherents,

easing those who had suffered by it. — I will give a short abstract of the penal laws made in this reign, that the reader may be convinced that persecution was not unjustly complained of under it. — By one statute it was ordained, ‘ That any person, above sixteen years old, present at any meeting under pretence of exercise of religion, in other manner than is allowed by the Liturgy or practice of the Church of *England*, where there shall be present five persons, or more, above those of the household, upon proof thereof made, either by confession of the party, or oath of witness, or notorious evidence of the fact, the offence shall be recorded under the hands of two justices, or the chief magistrate of the place, which shall be a perfect conviction; who, thereupon, may send such person to jail, or the house of correction, for any time not exceeding three months; unless he or she pay down so much money, not exceeding five pounds, as the said justices or chief magistrate shall impose. For the second offence, imprisonment, not exceeding six months; unless money paid, not exceeding ten pounds. — And persons so offending the third time, were to be sent to the goal, or house of correction, there to remain until the next session, or assizes, and then to be indicted; and being thereupon found guilty, the court was to enter judgment of transportation against such offenders, to some of the foreign plantations (*Virginia* and *New-England* only excepted), there to remain seven years; and warrants were to issue to sequester the profits of their lands, or to distrain and sell their goods, to defray

rents, which were executed with great rigour,

(r) Stat.
16 Car. II.
c. 4.

‘ defray the charges of their transportation; and for want
‘ of such charges being paid, the sheriff had liberty to
‘ contract with any master of a ship, or merchant, to
‘ transport them. — Upon paying down, however,
‘ one hundred pounds, the transportation was to be dis-
‘ charged. — And if any, under such judgment of
‘ transportation, shall escape, or, being transported,
‘ return into any part of *England*, they were to suffer
‘ death as felons without Benefit of Clergy (t).’ —

‘ All persons in holy orders, or pretended holy orders,
‘ who had not declared their assent and consent
‘ to the Book of Common Prayer, according to the
‘ act of Uniformity; and did not take and subscribe the
‘ oath of Non-resistance therein contained; together
‘ with all such as should take upon them to preach in
‘ any conventicle, or meeting, for exercise of religion
‘ contrary to law; were not (unless only in passing the
‘ road) to come, or be within five miles of any city,
‘ town corporate, or borough, that sends burgessees to
‘ parliament; nor within five miles of any place where
‘ they had officiated, or taken upon them to preach;
‘ upon pain of forfeiting forty pounds for such of-
‘ fence. Nor was any person so restrained, or who
‘ should not take the said oath, and frequent divine
‘ service, to teach any school, or take any boarders or ta-
‘ blers that were taught by any other, on pain likewise
‘ of forfeiting forty pounds. And two justices, upon
‘ oath made of any offence against the act, were to com-
‘ mit the offender for six months, without bail or main-
‘ prise (u).’ ----- ‘ One justice, or chief magistrate, on

(u) Stat.
17 Car. II.
c. 2.

‘ the

rigour, by the instigation and encouragement

‘ the oath of two witnesses, was to make a record of a
 ‘ conventicle, where any five persons, above sixteen
 ‘ years of age (besides those of the same household),
 ‘ should be assembled, for the exercise of religion, in
 ‘ any other manner than according to the Liturgy and
 ‘ practice of the Church of *England*; which record was
 ‘ to be a conviction, and thereupon a fine of five shil-
 ‘ lings was to be imposed upon every offender, which
 ‘ was to be certified to the next quarter sessions. And
 ‘ for the second, and every other offence, ten shillings
 ‘ each: and in case of poverty, it is allowed to be levi-
 ‘ ed on any other persons goods, present at the same con-
 ‘ venticle. The preacher was to forfeit for the first of-
 ‘ fence twenty pounds, and forty afterwards, which
 ‘ might be levied on any of the hearers. Those who
 ‘ suffered a meeting to be in their house, barn, or yard,
 ‘ were to forfeit twenty pounds; which might likewise
 ‘ be levied on the goods of any present: provided that no
 ‘ person pay above ten pounds for any one meeting, in re-
 ‘ gard of the poverty of any other person or persons. For-
 ‘ feitures incurred by married women, were to be levied
 ‘ on their husbands goods (*)’ ----- These statutes
 need no comment. They were all, except the last, the
 projection of Lord *Clarendon*; and will reflect disgrace
 on his name and administration, as long as there is
 sense, virtue, or humanity, in the world. ----- That
 these laws were rigorously executed, our histories abun-
 dantly testify. That the prelates instigated the execu-
 tion of them, will not be doubted by any one who reads
 what

(xix.
 22 Cl.
 c. 1.

ment of the prelates. — In *Scotland*,
matters

what follows. *Sheldon*, Archbishop of *Canterbury*, in a letter to the bishops of his province, dated, *Lambeth-house*, May 7, 1670, says, ‘ It hath pleased his majesty, and the two houses of parliament, out of their pious care for the welfare of this church and kingdom, by making and publishing the late act for preventing and suppressing conventicles, to lay a hopeful way for the peace and settlement of the church, and the uniformity of Gods service in the same; it becomes us, the bishops, as more particularly sensible of the good providence of God, to endeavour, as much as in us lies, the promoting so blessed a work: and therefore having well considered what will be fit for me to do in my particular diocese, I thought fit to recommend the same counsel and method (which I intend, God willing, to pursue myself) to your lordship, and the rest of my brethren the bishops of my province, being thereunto encouraged by his majesty’s approbation and express direction in this affair. — Your lordship is desired to recommend to the ecclesiastical judges and officers, and the clergy of your diocese, the care of the people under their respective jurisdictions and charges, that in their several places they do their best to persuade and win all non-conformists and dissenters to obedience to his majesty’s laws, and unity with the church; and such as shall be refractory, to endeavour to reduce by the censures of the church, or such other good means as shall be most conducing thereunto: to which end I advise, that all and every of the said ecclesiastical judges and officers, and every of the clergy

‘ of

matters were still worse. — — — Episco-
pacy,

‘ of your diocese, and the churchwardens of every pa-
‘ rish, by their respective ministers, be desired, in their
‘ respective stations and places, that they take notice of
‘ all non-conformists, holders, frequenters, maintainers,
‘ abettors of conventicles and unlawful assemblies, un-
‘ der pretence of religious worship, especially of the
‘ preachers and teachers in them, and of the places
‘ wherein the same are held, ever keeping a more watch-
‘ ful eye over the cities and greater towns, from whence
‘ the mischief is for the most part derived into the lesser
‘ villages and hamlets : and wheresoever they find such
‘ wilful offenders, that then, with a hearty affection to
‘ the worship of God, the honour of the king and his
‘ laws, and the peace of the church and kingdom, they
‘ do address themselves to the civil magistrate, justices,
‘ and others concerned, imploring their help and as-
‘ sistance for preventing and suppressing of the same,
‘ according to the late said act in that behalf made and
‘ set forth.’ — — The bishops and clergy, we may well
think, were not wanting in their duty; especially as
we find the Archdeacon of *Lincoln* earnestly desiring the
parishes, within his jurisdiction, to take especial regard
to perform whatsoever was required in the above letter;
and adding, ‘ how you shall discharge your duty there-
‘ in, I shall expect an account at the next Visita-
‘ tion.’ — — In the year 1683, the justices of peace
for the County of *Devon*, ‘ agreed and resolved, in eve-
‘ ry division of the county, to require sufficient sureties
‘ for the good abearing and peaceable behaviour of all
‘ such as they might justly suspect, or receive any credi-

pacy, and its attendants, so abominable,
at

‘ ble information against, that they have been at any
‘ conventicles and unlawful meetings, or any factious
‘ or seditious clubs ; or that have by any discourses dis-
‘ covered themselves to be disaffected to the present esta-
‘ blished government either in church or state ; or that
‘ have been the authors or publishers of any seditious
‘ libels ; or that shall not, in all things, duly conform
‘ themselves to the present established government.
‘ ——— And being fully satisfied, as well by the
‘ clear evidence of the late horrid plot [Lord *Ruf-*
‘ *sell's*], as by their own long and sad experience, that
‘ the non-conformist preachers are the authors and fo-
‘ menters of this pestilent faction, and the implacable
‘ enemies of the established government, and to whom
‘ the late execrable treasons, which have had such dis-
‘ mal effects in this kingdom, are principally to be im-
‘ puted ; and who, by their present obstinate refusing to
‘ take and subscribe an oath and declaration, that they do
‘ not hold it lawful to take up arms against the king, and
‘ that they will not endeavour any alteration of govern-
‘ ment in church or state ; do necessarily enforce us to
‘ conclude, that they are still ready to engage them-
‘ selves (if not actually engaged) in some rebellious con-
‘ spiracy against the king, and to invade and subvert his
‘ government : Wherefore,’ say they, ‘ we resolve in
‘ every parish, in this county, to leave strict warrants in
‘ the hands of all constables, for the seizing of such per-
‘ sons. And, as an encouragement to all officers and
‘ others that shall be instrumental in the apprehending
‘ of

CHARLES THE SECOND.

(115

at that time, in the eyes of the majority

‘ of any of them, so as they may be brought to justice,
 ‘ we will give and allow forty shillings, as a reward
 ‘ for every non-conformist preacher that shall be so se-
 ‘ cured. And we resolve to prosecute them, and all
 ‘ other such dangerous enemies of the government, and
 ‘ common absenters from church, and frequenters of
 ‘ conventicles, according to the directions of a law made
 ‘ in the five-and-thirtieth year of the reign of Queen
 ‘ *Elizabeth*, entitled, An Act for keeping her Majesties
 ‘ subjects in due obedience.’ — ‘ This order, which
 ‘ will appear a very cruel one to most readers, was happy
 ‘ enough, however, to meet with the approbation and
 ‘ applause of the right reverend diocesan; who, as he
 ‘ tells the world, that the continued care of his majes-
 ‘ ties justices of the peace for the county of *Devon*, for
 ‘ the safety of his majesties sacred person, the preserva-
 ‘ tion of the publick peace, and advancement of true re-
 ‘ ligion, may be fuller known, and have a better effect,
 ‘ ordered and required all the clergy of his diocese,
 ‘ within the county of *Devon*, deliberately to publish
 ‘ this order the next *Sunday* after it should be tendered
 ‘ to them (y).’ — If any one is desirous of knowing
 the name of such a wretch, it was *Lamplugh*. — The
Middlesex justices, at the general quarter sessions, Oct.
 14, 1681, declared, ‘ that all house-keepers, within
 ‘ the county, who kept ale-houses, and other public-
 ‘ houses for entertainment, by virtue of any licence,
 ‘ and should not go to their parish-church, and receive
 ‘ the sacrament according to the practice of the Church
 ‘ of *England*, or should go to any conventicle, should
 ‘ have their licences taken from them.’ — They also

(y) See the
 Dedication
 to Long’s
 Sermon on
 the Original
 of War. 4to,
 Lond. 1684.

rity of the people, were now again introduced;

farther declared, 'that if the churchwardens and overseers of the poor should dispose of any of the parish money by way of pension, or otherwise, to poor people who frequent conventicles, and do not come to their parish-church, and receive the sacrament there (except in case of sickness and necessity to be allowed by a justice of peace), the money paid to such people should not be allowed by the justices in the accounts of the churchwardens and overseers of the poor, because such persons who never come to the parish-church, ought not to be reckoned of the parish.' ----

(z) Gazette,
No. 1660.

This order was so acceptable to the king, that his majesty thanked the justices for it (z). ——— Dr. *Pope* tells us, 'that Bishop *Ward* was for the act against conventicles, and laboured much to get it pass, not without the order and direction of the greatest authority, both civil and ecclesiastical, not out of enmity to the dissenters persons, as they unjustly suggested, but of love to the repose and welfare of the government: for he believed if the growth of them were not timely suppressed, it would either cause a necessity of a standing army to preserve the peace, or a general toleration; which would end in popery, whither all things then had an apparent tendency. That act had this effect: it shewed the dissenters were not so numerous and considerable as they gave themselves out to be, designing thereby to make the government believe it was impracticable to quell them; for where this act was duly executed, it put an end to their meetings, as it was evident in his diocese: for in *Salisbury* there was

' not

roduced; conformity in all points to
them

‘not one conventicle left; and but a few in the skirts of
‘*Wiltshire* bordering upon *Somerset*, where, for want
‘of a settled militia, by reason of the non-age of the
‘Duke of *Somerset*, the lord-lieutenant of that county,
‘they sometimes met in woods; but, upon complaint,
‘their meetings were suppressed, and his majesty was
‘pleased to own and accept this as good service to the
‘publick, and to encourage the bishop in it (a).’ —

‘*When the priest turns atheist*,’ it is natural to suppose,
that he will labour to get and execute such laws as
these! but all such as believe the great truths of reli-
gion, will execrate and abhor them, and the authors of
them. — ‘God and nature seem to delight in va-
‘riety; and in making men and women, all in the world,
‘of different features, ayres, dimensions, complexions,
‘&c. And how do we know that Almighty God is so
‘much displeased with variety of opinions, also, as some
‘men imagine? Though we have different physiogno-
‘mies, and different eye-sights; yet we all continue to
‘be men. And though we have different judgments,
‘minds, and opinions; some more clear, and some more
‘purblind; yet we may all continue Christians. But
‘suppose other men do not (cannot for their lives) see
‘so well as we, or so well as the synod, or the magis-
‘trate: must we therefore pull out or put out their
‘eyes; deliver them to the devil first, and then to the
‘goal, and after all to the pit of hell; and for expedi-
‘tion-sake thither with the more speed (until the writ
‘*de hæretico comburendo* was cancell’d), with fire and

(a) Life of
Ward, p.
68.

them was enacted; and cruel laws, barbarously executed, were means made use of to

(b) Naked
Truth, part
2d. 2d edit.
p. 12.

‘faggot (b)?’ — Thus spoke an honest ecclesiastic of those times, — And honest *Andrew Marvel*, who also lived in them, and with indignation saw the spirit of them, declared, ‘that it was no great adventure to say, ‘that the world was better ordered under the antient ‘monarchies and commonwealths; that the number of ‘virtuous men was then greater; and that the Christi- ‘ans found fairer quarter under those, than among them- ‘selves. Nor hath there any advantage accrued unto ‘mankind, from that most perfect and practical model ‘of human society, except the speculation of a better ‘way to future happiness, concerning which the very ‘guides disagree, and of those few that follow, no man ‘is suffered to pass without paying at their turnpikes. ‘All which hath proceeded from no other reason, but ‘that men, instead of squaring their governments by ‘the rule of Christianity, have shaped Christianity by ‘the measures of their government; have reduced that ‘strait line by the crooked; and, bungling divine and ‘human things together, have been always hacking and ‘hewing one another, to frame an irregular figure of ‘political incongruity (c).’ ----- Whatever has been the behaviour of men called Christians, and dignified and distinguished by titles denoting high pretensions to sanctity, ‘we ought in justice,’ with Lord *Lyttelton*, ‘to ‘own, that no book, that ever was writ by the most ‘acute free-thinkers, is so repugnant to priestcraft, to ‘spiritual tyranny, to all weak superstitions of every ‘kind,

(c) State
Tracts in
the time of
Charles II.
vol. i. p. 80.
fol. Lond.
1693.

to induce men to comply (KKK) with a
form

‘kind, to all that can tend to disturb or to prejudice
‘human society, as that which they so much affect to
‘despise (d),’ and which persecutors have impiously
dared to vouch as authority in behalf of their barba-
rities.

(d) Dia-
logues of the
Dead, p.
207. 8vo.
Lond. 1760.

(KKK) *Cruel laws were made use of in Scotland,
to induce men to comply with modes and forms of religion.*]

The Scots had been eminently loyal, as appears from the foregoing notes, to *Charles II.* They had ventured their lives and fortunes in his cause; and, after that, very unwillingly submitted to the yoke of their conquerors. Awed by armies, forts, and garrisons, they dared not again recur to arms: but they spoke in the most intelligible manner in behalf of their king, and wished his return in no very obscure terms. The preachers, in particular, were bold; and relying on the place in which they spake, and the esteem in which their function was held by their auditors, they uttered their thoughts freely concerning his majesty’s right, though in guarded expressions. — Captain *Langley*, in a letter to *Thurloe*, dated *Leith, Sept. 30, 1658*, says, ‘Sir, As to that of
‘the Scots blessing God, that he had heard them in some
‘things, they spake it mystically; for just as the news
‘came of the death of his H. [*Oliver*], they declared a fast
‘to be kept the Saboath following, and spake those
‘words as a motive to incourage the people to keep the
‘day. That they dailie pray for their king in such terms
‘as these: That the Lord would be merciful to the ex-
‘iled, and all those that are in captivitie; and that
‘once more he would cause them to return with sheaves

form of church government, to which
they

‘ of joy. And some speak in plainer terms against the
‘ government. They pray under the terms of being
‘ delivered from the yoke of *Pharoah*, *Egyptian* bondage,
‘ or the Task-master of *Egypt*, &c. They use several
‘ imprecations ; praying for the confusion of all tyrants,
‘ and from enemies, and all their oppressors and afflict-
‘ ors, &c. desiring God to cut them off, to shorten
‘ their time, thereby hastening their deliverance, and giv-
‘ ing ease to his people, meaning themselves, &c. Thus
‘ they speake ; but so ambiguously, that they can evade,
‘ if questioned ; yet so plainly, that the whole people
‘ knows their meaning : soe that the premises consider-
‘ ed, it is easy to understand that they prayed God,
‘ that he had heard them in taking away his highness,
‘ which they take to be the beginning of what God hath
‘ further to do for them, as to that deliverance they fur-
‘ ther expect and pray for ; promising the people, that
‘ God will yet bring forth further deliverance to
‘ them (e).’ In this spirit they continued till the Re-
‘ storation ; when their hopes of happiness by his majesty
‘ were quickly put an end to, and *Charles* proved
‘ infinitely more their oppressor and persecutor, than the
‘ Commonwealth of *England*, or *Cromwell*. — By virtue
‘ of a letter from the king, a proclamation was issued by
‘ the privy-council, for establishing episcopacy in *Scot-*
‘ *land*. This was confirmed by the parliament in 1662,
‘ who, in imitation of the *English*, enacted also a declara-
‘ tion to be subscribed, wherein the Solemn League and
‘ Covenant were termed unlawful, and their obligation
‘ said to be void. Ministers who chose not to receive ad-
mission

(c) Thur-
loe, vol. vii.
p. 416.

CHARLES THE SECOND.

121

they had a fixed, natural aversion. —

Great

mission and collation from bishops, as few of them did, were sentenced by acts of council to banishment; and such as would not attend their successors, were heavily fined, according to their circumstances. That these are no calumnies, will appear from the act of council against ministers, dated, *Edinburgh, Dec. 7, 1665*, in which ‘the lords of his majesty’s privy-council do command and charge all ministers that have relinquished, or been deposed from their ministry, by their ordinary, within forty days, to remove themselves, their families and goods belonging to them, out of their respective parishes where they were incumbents, and not to reside within twenty miles of the same, or within six miles of *Edinburgh*, or any cathedral church, or three miles of any burgh royal within this kingdom; or reside two of them within one parish: with certification, if they fail to remove themselves as said is, and to give exact obedience hereunto (unless they have the permission of the lords of the privy-council, lords of his majesty’s commission for church affairs, or of the bishop of the diocese), they are to incur the penalties of the laws made against movers of sedition, and to be proceeded against with that strictness which is due to so great a contempt of his majesty’s authority over church and state. And do hereby inhibit and discharge all heritors and householders, in burgh or land, to give any presence or countenance to any one or more of those ministers, removed by this present act, to preach or exercise any act of the office of a minister: with certification if they, after publication hereof, shall presume so to do, they

4

‘ are

Great complaints hereupon followed,
in

‘ are to be proceeded against according to law : and
‘ commanding and requiring all sheriffs, &c. to make
‘ diligent search within their respective jurisdictions, if
‘ any such ministers as fall within the compass of this
‘ or the two other acts of council aforesaid, do reside
‘ within the bounds therein prohibited, and to seize up-
‘ on and imprison their persons, ay and while they find
‘ sufficient caution to compear before the lords of his
‘ majesty’s council or commission (f).’ — On the 11th

(f) Wod-
row’s Hist.
vol. i. Ap-
pendix, p.
84.

Oct. 1666, a proclamation was published for procuring obedience to ecclesiastical authority. In this, after mentioning the acts of parliament and council against such as refused obedience in church affairs ; and observing that, through the neglect of their rigorous execution, they had not produced the effect they might have done : after this, I say, ‘ it charges and commands, in
‘ his majesties name, all masters of families, that they
‘ cause their domestick servants, grieves, chamberlains,
‘ and others entertained by them, to give obedience to
‘ the laws aforesaid, and acts of council ; and particu-
‘ larly, that they frequent the publick worship and or-
‘ dinances at their own parish-churches, and participate
‘ of the sacraments, and abstain from all conventicles
‘ and private meetings ; and that they retain none in
‘ their service but such as they will be answerable for ;
‘ and in case of their disobedience, that they remove
‘ them out of their service immediately after intimation
‘ thereof by the minister of the parish : as also, that all
‘ heritors, landlords, and liferenters, who have grant-
‘ ed any tacks or rental to their tenants, which are yet
‘ standing unexpired, cause their tenants and rentallers

‘ to

in both kingdoms ; as well from standers-
by,

to give sufficient bond and surety for obeying the said
acts of parliament and council, and specially for fre-
quenter publick worship and ordinances, as said is,
and abstaining from private meetings ; and, if need
be, that they raise letters under the signet of our privy-
council, and charge them, for that effect, upon six
days ; and, in case of disobedience, to denounce them
to our horn, and registrate the same ; for which end,
warrant is given to direct letters, in their name, against
all and sundry their tenants and rentallers : and we do
declare, that we will give and bestow the escheats, fall-
ing to us by the said hornings, upon the landlords and
setters of these tacks and rentals, in so far as may be
extended unto : recommending hereby to our treasurer-
principal, and treasurer-depute, and others of our ex-
chequer, to grant the same accordingly : and in case
the tenants be removeable, and refuse to give obedi-
ence, that they warn and pursue them to remove, and
obtain decreets of ejection against them : and that no
heritor, landlord, or liferenter, set their lands hereaf-
ter to any person, by word or writ, but to such as they
will be answerable for, as said is : and that they take surety
from them, by provisions and obligations to be insert
in their tacks, or otherwise by bond apart, in case there
be no writ, that the said tacksmen, rentallers, and all
others their hindes, cottars, and servants, who shall
live under them upon the said lands, shall give obedi-
ence in manner aforesaid ; otherwise, that their tacks,
rentals, and whole interest, right, and possession, shall
be void and expire, *ipso facto*, as if they had never
been

by, as the sufferers. To silence which,
 declara-

(g) Id. p. 88.

‘ been granted ; and that without any declarator, or further process, and then as now, and now as then, that they shall renounce all right that they shall have there- to, and shall remove themselves without any warning ; and in case of failure, the landlords and others are to charge and denounce them in manner aforesaid. As likewise that all magistrates of royal burrows take special care and notice, and be answerable, that the burgeses and inhabitants be obedient to the aforesaid acts of parliament and council ; and that they cause charge such of them as they shall think fit, and are suspected, to give bond and surety, as said is : and for the magistrates own relief, in case they contravene, and if they fail, to denounce them in manner aforesaid : with certification that all masters of families, landlords, and magistrates of burghs, who shall not give punctual obedience in manner above written, that they shall be liable to the said pains and penalties due to the contraveners, &c. (g).’ — In an act, ‘ Anent field conventicles,’ in 1670, it is ordained, ‘ that no outed ministers who are not licensed by the council, and no other person not authorized or tollerated by the bishop of the diocese, presume to preach, expound scripture, or pray in any meeting, except in their own houses and to those of their own family : and that none be present at any meeting without the family to which they belong, where any not licensed, authorized nor tollerated, as said is, shall preach, expound scripture or pray : declaring hereby, all such as shall do in the contrary, to be guilty of keeping conventicles ; and that he or they, who

declarations of indulgence were issued forth,

‘ who shall so preach, expound, or pray, within any
‘ house, shall be seized upon and imprisoned, till they
‘ find caution, under the pain of five thousand merks,
‘ not to do the like hereafter, or else enact themselves
‘ to remove out of the kingdom, and never return with-
‘ out his majesty’s licence; and that every person who
‘ shall be found to have been present at any such meet-
‘ ings, shall be, *toties quoties*, fined, according to their
‘ qualities, in the respective sums following, and impri-
‘ soned until they pay their fines, and farther, during the
‘ councils pleasure: *viz.* each man or woman, having
‘ land in heritage, liferent, or proper wadset, to be fined
‘ in a fourth part of his or her valued yearly rent; each
‘ tenant, labouring land, in twenty-five pounds *Scots*;
‘ each cottar, in twelve pounds *Scots*; and each serving-
‘ man, in a fourth part of his yearly fee. And where
‘ merchants or tradesmen do not belong to or reside
‘ within burghs royal, that each merchant or chief
‘ tradesman be fined as a tenant; and each inferiour
‘ tradesman as a cottar. And if any of the persons
‘ abovementioned shall have their wives, or any of their
‘ children, living in family with them, present at any
‘ such meeting; they are therefore to be fined in the half
‘ of the respective fines aforesaid, consideration being had
‘ to their several qualities and conditions. And if the
‘ master or mistress of any family, where any such meet-
‘ ings shall be kept, be present within the house for the
‘ time, they are to be fined in the double of what is to be
‘ paid by them, for being present at a house conventicle.
‘ — And whosoever, without licence or authority
‘ aforesaid,

'aforesaid, shall preach, expound scripture, or pray, at
 'any meetings in the field, or in any house where there
 'be more persons than the house contains, so as some
 'of them be without doors (which is hereby declared
 'to be a field conventicle), or who shall convocate any
 'number of people to these meetings, shall be *punished*
 'with death, and confiscation of their goods. And it is
 'hereby offered and assured, that if any of his majesty's
 'good subjects shall seize and secure the persons of any
 'who shall either preach or pray at these field-meetings, or
 'convocate any persons thereto, they shall, for every such
 'person so seized and secured, have five hundred merks
 'paid to them, for their reward, out of his majesty's
 'treasury, by the commissioners thereof; and the said
 'seizers and assistants are indemnified for any slaughter
 'that shall be committed in the apprehending and se-
 'curing of them. And as to all heritors, and others,
 'who shall be present at any of these field-conventicles,
 'it is declared, they are to be fined, *toties quoties*, in the
 'double of their respective fines appointed for house-
 'conventicles; but, prejudice of any other punishment
 'due to them, by law, as seditious persons and disturb-
 'ers of the peace and quiet of the kirk and king-
 'dom (b). — These were cruel laws indeed! and
 they were most barbarously executed by Sir *James Tur-*
ner, General *Dalziel*, the Highlanders, the Bishops, and
 State Clergy (i). — 'Those who governed *Scotland*,
 'under *Charles II.* in the latter part of his reign,' says
 Mr. *Mallet*, 'with no less cruelty than impolicy, made
 'the people of that country desperate; and then plun-
 'dered, imprisoned or butchered them for the natural
 'effects of such despair. The best and worthiest men
 'were

(b) Id. p.
 130.

(i) See
 Burnet, vol.
 i. p. 238.

‘ were often the objects of their most unrelenting fury.
 ‘ Under the title of fanatics, or seditious, they affected
 ‘ to herd, and, of course, persecuted whoever wished
 ‘ well to his country, or ventured to stand up in de-
 ‘ fence of the laws and a legal government. I have
 ‘ now in my hands the *copy* of a warrant, signed by King
 ‘ *Charles* himself, for military execution upon them with-
 ‘ out process or conviction : and I know that the *origi-*
 ‘ *nal* is still kept in the secretary’s office for that part of
 ‘ the united kingdom (*k*).’ — Oppression, indeed,
 makes wise men mad : and such oppressions as these,
 will account for and justify the insurrections at *Bothwell*
 and *Pentland* ; and make us ready to wonder at the stu-
 pidity of a nation, who did not arm, as one man, against
 a government so unnatural and tyrannical.

(*k*) Preface
 to *Amyntor*
 and *Theo-*
dora, 8vo.
 Lond. 1743.

‘ If meant the blessing, he becomes the bane ;
 ‘ The wolf, not shepherd, of his subject flock ;
 ‘ To grind and tear, not shelter and protect ;
 ‘ Wide-wasting where he reigns : ——— to such a
 ‘ prince,
 ‘ Allegiance kept, were treason to mankind ;
 ‘ And loyalty, revolt from virtue’s law.’

MALLETT.

Montesquieu has well exposed the wretched policy of
 such detestable proceedings, in the following manner :
 — ‘ If we may reason without prejudice,’ says he,
 ‘ I know not but variety of religions may be useful in a
 ‘ state. It is observed, that the followers of a religion,
 ‘ which is only tollerated, are generally more servicea-
 ‘ ble to their country than those who are of the esta-
 ‘ blished

' blished religion : for being shut out from all honours,
 ' and having no way to distinguish themselves but by
 ' their opulence and wealth ; they are naturally led to
 ' obtain those advantages by their labour, and so to em-
 ' brace the most painful employments in the society.
 ' Besides, as all religions contain precepts useful to so-
 ' ciety ; the more zealously they are observed, the
 ' better. Now what can be more likely to animate that
 ' zeal, than the multiplicity of religions ? They are
 ' so many rivals that never spare one another's failings.
 ' The jealousy descends even to every private member:
 ' every one stands upon his guard, and is fearful of do-
 ' ing any thing that may bring a scandal upon his sect,
 ' and expose it to the contempt and unforgiving cen-
 ' sures of its adversaries. Accordingly it has always
 ' been observed, that a new sect in a state is the surest
 ' means of correcting all the abuses of the old. It is
 ' in vain to say that it is the prince's interest not to al-
 ' low of variety of religions in his kingdom. Though
 ' all the sects in the world were to get together in it, he
 ' would not be at all prejudiced by it : for there is not
 ' one but what prescribes obedience, and preaches up
 ' submission. I confess, histories are full of religious
 ' wars. But do not let us take the thing wrong : it
 ' was not the diversity of religions that occasioned these
 ' wars ; it was the untolerating spirit of that which
 ' thought she had the power in her hands. It was that
 ' spirit of proselytism which the *Jews* caught of the
 ' *Egyptians* ; and which from them was communicated,
 ' like an epidemical infection, both to the Mahometans
 ' and Christians. In a word, it was the spirit of en-
 ' thusiasm ; which, in its progress, can be looked up-
 ' on

forth by the crown (LLL), by virtue of
a dif-

‘on as nothing else but a total eclipse of human reason:
‘For, in short, tho’ there was nothing of inhumanity in
‘forcing the consciences of others; tho’ it occasioned none
‘of those ill effects which spring up from it by thousands;
‘a man must be a fool to offer at it. He that would have
‘me change my religion; does it, no doubt, because he
‘would not change his own if he were to be forced to
‘it: so that he wonders I will not do a thing, which,
‘perhaps, he would not do himself for the empire of the
‘universe (l).’

(LLL) *Declarations of indulgence were issued by the crown — and bills of comprehension framed for the approbation of parliament.*] The act of Uniformity raised great clamours; and drew down many reproaches on the king: The declaration of *Breda*, and after-promises of ease and liberty to tender consciences, made by him, were brought to remembrance, and contrasted with that rigorous law. To silence and satisfy, in some measure, the sufferers; a declaration was published by his majesty, by the advice of his privy-council, dated, *Dec. 26, 1662*; in which, after taking notice of the censures passed on his conduct in this and other matters, and endeavouring to vindicate himself, he proceeds to say, ‘We remember well the very words of our promises from *Breda*: — we remember well the confirmations we have made of them since, upon several occasions, in parliament; and as all these things are still fresh in our memory, so we are still firm in our resolution of performing them to the full. But it must not be wondered at (since that parliament to which those promises were made, in relation to an act, never thought fit to

(l) *Persian Letters*, vol. ii, p. 39. 12mo. Lond; 1736.

a dispensing power claimed by it, and
bills

(m) See the
quotation
from the
Journals, at
the end of
the note
(ww).

‘ offer us any to that purpose (m), that, being so zeal-
‘ ous as we are (and, by the grace of God, shall ever
‘ be), for the maintenance of the true protestant reli-
‘ gion, finding it so shaken (not to say overthrown) as
‘ we did, we should give its establishment the preceden-
‘ cy before matters of indulgence to dissenters from it.
‘ But that once done (as we hope it is sufficiently by
‘ the bill of Uniformity), we are glad to lay hold on this
‘ occasion to renew unto all our subjects, concerned in
‘ those promises of indulgence by a true tenderness of
‘ conscience, this assurance : That as, in the first place,
‘ we have been zealous to settle the uniformity of the
‘ church of *England*, in discipline, ceremony, and go-
‘ vernment, and shall ever constantly maintain it : so,
‘ as for what concerns the penalties upon those who
‘ (living peaceably) do not conform thereunto, through
‘ scruple and tenderness of misguided conscience ; but,
‘ modestly and without scandal, perform their devotions
‘ in their own way : we shall make it our special care,
‘ so far as in us lies, without invading the freedom of
‘ parliament, to incline their wisdom, at this approach-
‘ ing sessions, to concur with us in making some such
‘ act, for that purpose, as may enable us to exercise,
‘ with a more universal satisfaction, that power of dis-
‘ pensing which we conceive to be inherent in us. Nor
‘ can we doubt of their chearful co-operating with us
‘ in a thing wherein we do conceive ourselves so far en-
‘ gaged, both in honour, and in what we owe to the
‘ peace of our dominions, which we profess we can
‘ never think secure whilst there shall be a colour left

‘ to

bills of comprehension were projected,
by

‘to the malicious and disaffected to inflame the minds
‘of so many multitudes upon the score of conscience,
‘with despair of ever obtaining any effect of our pro-
‘mises for their ease. — As we shall always accord-
‘ing to justice retain, so we think it may become us to
‘avow to the world, a due sense we have of the greatest
‘part of our roman catholick subjects of this kingdom
‘having deserved well from our royal father of blessed
‘memory, and from us, and even from the protestant
‘religion itself, in adhering to us, with their lives and
‘fortunes, for the maintenance of our crown, in the
‘religion established, against those who, under the name
‘of zealous protestants, employed both fire and sword
‘to overthrow them both. We shall with as much free-
‘dom profess unto the world, that it is not in our in-
‘tention to exclude our roman catholick subjects, who
‘have so demeaned themselves, from all share in the be-
‘nefit of such an act, as, in pursuance of our promises,
‘the wisdom of our parliament shall think fit to offer
‘unto us for the ease of tender consciences. It might
‘appear no less than injustice, that those who deserved
‘well, and continued so to do, should be denied some
‘part of that mercy which we have obliged ourself to
‘afford to ten times the number of such who have not
‘done so (n).’ — They are cautioned, however,
against the presumption to hope for a toleration of
their profession. But the house of commons on their
meeting, averse to all methods of lenity, in an address
to the king, declaring it to be their opinion, ‘that it
‘is in no sort adviseable that there be any indulgence to

(n) Ken-
net's Regis-
ter, p. 850.

by the friends of moderation and humanity,

(o) Journal,
Feb. 27, 1662.

‘such persons as presume to dissent from the act of Uniformity (o),’ his majesty acquiesced, and persecution was more triumphant. — After the banishment of *Clarendon*, the great promoter of the barbarous laws on account of religion; *Shaftesbury*, *Clifford*, and *Buckingham*, who, together with *Arlington* and *Lauderdale*, made up what was called the cabal, took the lead. These men, though for the most part unprincipled and abandoned, had sense enough to see the iniquity of the laws in being, and the folly of executing them. By their instigation another declaration was published, *March 15, 1672*, in which, after mention being made of the fruitlessness of twelve years rigour, his majesty declares it to be his will and pleasure, ‘that the execution of all and all manner of penal laws, in matters ecclesiastical, against whatsoever sort of non-conformists or recusants, be immediately suspended; and that allowance would be granted of a sufficient number of places, in all parts of the kingdom, for the use of such as do not conform to the Church of *England*, to meet and assemble in, in order to their public worship and devotion.’ The recusants of the roman catholic religion were, however, excepted; to whom no places of public worship were allowed, but only an indulgence in the common exemption from the execution of the penal laws, and the exercise of their worship in their private houses only.

An indulgence likewise was issued out in *Scotland*, *Sept. 3, 1672*. — *Mr. Locke* tells us, ‘the bishops took so great an offence at this declaration, that they gave the

manity, for the approbation of the parliament.

‘ the alarm of popery through the whole nation ; and,
‘ by their emissaries, the clergy (who, by the contexture
‘ and subordination of their government, and their being
‘ posted in every parish, have the advantage of a
‘ quick dispersing their orders, and a sudden and universal
‘ insinuation of whatever they please), raised such
‘ a cry, that those good and sober men, who had really
‘ long feared the increase and continuance popery had
‘ hitherto received, began to believe the bishops
‘ were in earnest, their eyes open though late, and therefore
‘ joined heartily with them ; so that, at the next
‘ meeting of parliament, the protestant interest was run
‘ so high, as an act came up from the commons to the
‘ house of lords in favour of the dissenting protestants,
‘ and had passed the lords but for want of time : besides,
‘ another excellent act passed the royal assent, for
‘ the excluding all papists from office ; in opposition of
‘ which the Lord Treasurer *Clifford* fell, and yet to prevent
‘ his ruin this sessions had the speedier end. Notwithstanding
‘ the bishops attained their ends, the declaration
‘ being cancelled, and the great seal being broken off
‘ from it ; the parliament having passed no act in favour
‘ of the dissenters, and yet the sense of both houses sufficiently
‘ declared against all indulgence but by act of
‘ parliament. Having got this point, they used it at
‘ first with seeming moderation ; there were no general
‘ directions given for persecuting the non-conformists,
‘ but here and there some of the most confiding justices
‘ were made use of to try how they could revive the old
‘ prosecution : for as yet the zeal raised against the pa-

liament: — all which were, through
various

(p) Letter
to a Person
of Quality,
in Torbuck's
Parliament-
ary Debates,
vol. i, p. 78.

(q) Vol. ii.
p. 15.

(q) Jour-
nal, 8th
March,
1678.

'pists was so great, that the worthiest and the soberest
'of the episcopal party thought it necessary to unite with
'the dissenting protestants, and not to divide their party
'when all their forces were little enough (p).' It ap-
pears, indeed, by *Grey's Parliamentary Debates*, that
this declaration was warmly debated and greatly opposed
in the house; even by such as were foes to persecution, on
account of the dispensing power on which it was found-
ed. Mr. *Powle* 'would comply with the king to do,
'in a legal way, as now the declaration did in an ille-
'gal. — He conceived, if the king can dispense with
'all penal laws; he may dispense with all laws with a
'*non obstante*. — The consequence of this,' said he,
'is direful: the king, by this, may change religion as
'he pleases: we are confident of him, but know not
'what succession may be (q).' The majority of the
house, being of like sentiments, concurred in an ad-
dress, *Feb.* 14th following; in which they say, 'we
'find ourselves bound in duty to inform your majesty,
'that penal statutes, in matters ecclesiastical, cannot
'be suspended but by act of parliament.' — The king
was not well pleased with this address, but seemed
to insist on his dispensing power. The commons,
notwithstanding, being fixed; and a supply for his ma-
jesty under consideration; he at length told both
houses, 'that if there was any scruple remained yet
'with them, concerning the suspension of penal laws;
'he faithfully promised them, that what had been done
'in that particular, should not, for the future, be drawn
'into consequence or example (q).' Thus was the in-
dulgence quashed. But as the commons now were
not

various causes, rendered ineffectual for
the

not averse to a legal toleration, they ‘resolved, upon
‘the question, *nemine contradicente*, that a bill be brought
‘in for the ease of his majesty’s subjects that are dissent-
‘ers, in matters of religion, from the Church of Eng-
‘land (r).’ A bill, after long deliberation, was framed; (r) Journal.
and being read, it was resolved, 19th March, 1672,
O.S. ‘that the bill do pass; and Mr. Powle was to car-
‘ry up the bill to the lords (s).’ The lords proposed (s) Id.
some amendments; and conferences were held between
the houses: but it came to nothing. In 1680, the lords
and commons passed a bill, intitled, ‘An act for the re-
‘peal of a statute made in the 25th year of Queen *Eli-*
‘*zabeth*, in order to give ease to the dissenters (t);’ but (t) Id. 25
the court, being mad against them for their adherence to Dec. 1680.
the interest of their country and their activity in op-
posing the destructive schemes then on foot, by an al-
most unheard-of trick, got the bill stole from the table,
when it was, in course, to have received the royal as-
sent. This was taken notice of, in the next parliament,
by many very considerable members; and, among others,
by Sir *William Jones*, who said, ‘This matter deserves
‘material consideration; whether in respect of the loss
‘of the bill, or the shaking the very constitution of par-
‘liament. The bill that is lost,’ continued he, ‘is of
‘great moment; and of great use to secure the country,
‘and, perhaps, their lives too, in the time of a popish
‘successor. Those men that hindered the passing that
‘bill, had a prospect of that; and if it be sent up again,
‘we are like to meet with great opposition. But be the
‘bill

the purposes intended. During these
trans-

‘ bill what it will, the precedent is of the highest conse-
‘ quence. The king has his negative to all bills; but
‘ I never knew that the clerk of the parliament had a
‘ negative, if he laid it aside, or not. But consider, if
‘ we send up many good bills, if this be not searched in-
‘ to, we may be deprived of them. No man, that knows
‘ law or history, but can tell, that to bills grateful and
‘ popular the king gives his consent; but if this way be
‘ found out, that bills shall be thrown by, it may be
‘ hereafter said, they were forgotten and laid by; and
‘ so we shall never know whether the king would pass
‘ them or not. If this be suffered, it is in vain to spend
‘ time here, and it will be a great matter to find time to
‘ redress it. I move, therefore, that a message be sent to
‘ the lords for a conference, that some way may be found
‘ out to give us satisfaction in this great matter (u).’

(u) Grey's
Parliament-
ary Debates,
vol. viii. p.
300.

(x) Jour-
nal, 25
Mar. 1681.

A message, accordingly, was resolved to be sent to the
lords, to desire a conference; and a committee appointed,
to consider of and prepare the subject-matter to be
offered at the said conference (x). But this, and every
other thing in agitation in the house, was soon put an
end to by the sudden dissolution of the parliament. Af-
ter this, the penal laws, against the dissenters, were ex-
ecuted in their full rigour. As to the bills of Compre-
hension, mentioned in the text, these were projected by
• *Bridgman* and *Hale*, assisted by *Tillotson*, *Stillington*,
and *Burton*, on the one hand; and by *Bates*, *Manton*,
and *Baxter*, on the other. Their design was, by alter-
ations and amendments, to take in as many as possible
into the establishment, and give a toleration to all others

transactions, the attention of the nation was drawn to the Popish Plot (MMM), disco-

who remained unsatisfied. But though more than one attempt was made ; and times, under this reign, greatly varied ; nothing was done to any purpose, through the zeal and bigotry of some of the ecclesiastics, who were alarmed at the least talk of such matters (y).

(MMM) *The attention of the nation was drawn to the Popish Plot.*] Never any thing made more noise than this affair : never any thing, perhaps, in the opinion of some persons, had less foundation. — That I may be impartial, I will, however, consider the evidence for and against it with all the care that is in my power. — The Popish Plot, it is to be observed, was founded, chiefly, on the testimony of *Titus Oats* ; though afterwards supported by that of several other persons. Now if he himself was a man unworthy of belief, or the testimony given by him false or incredible, it is very certain, no regard ought to have been paid unto him.

1. *Oats* himself was a bad man. Insincerity, in the profession of religion, is a proof of this : and *Oats's* insincerity is allowed by himself, and, as far as appears, without blushing, at the bar of the house of lords. ‘ In the year (—76),’ says he, ‘ I was admitted into the service of the Duke of *Norfolk*, as chaplain in his house ; and there I came acquainted with one *Bing*, that was a priest in the house. And being acquainted with him, there came one *Kemish* very often to visit him, and one *Singleton* ; who told me, that I should find that the protestant religion was upon its last leggs ; and that it would become me, and all men of my coat (for then
‘ I pro-

(y) See
Birch's Life
of Tillotson,
p. 42. 8vo.
Lond. 1752.

discovered by *Oates*, and supported, as it
was

‘ I professed myself a minister of the Church of *England*,
‘ to hasten betimes home to the Church of *Rome*. My
‘ lords, having had strong suspicions for some years be-
‘ fore, of the great and apparent growth of popery, to
‘ satisfy my curiosity, I *pretended* some doubts in my
‘ mind. My lords, after some time had passed over,
‘ and I had had some conversation with these men, I
‘ found they were not men for my turn ; because, being
‘ regular men, they were not men who had any great
‘ degree of learning. Afterwards, my lords, I met with
‘ one *Hutchinson* : I found him a faintlike man, or one
‘ that was religious for religions sake : and him I found
‘ not for my turn neither ; for, my lords, my design was
‘ to deal with their casuists, that is, those of the society.
‘ After that I had obtained the favour from him to have
‘ some conference with one of the society, I found
‘ they were the men for my turn ; because I found
‘ they were the cunning politick men, and the men
‘ that could satisfy me. After that I had had some
‘ discourse with them, I pretended to be convinced by
‘ their arguments : and, my lords, after that I had thus
‘ acknowledged my conviction, I desired to be recon-
‘ ciled ; and, accordingly, on *Ash Wednesday*, 167⁶,
‘ I was reconciled (z).’ — *Burnet* says, upon ask-
‘ ing *Oates*, ‘ What were the arguments that prevailed
‘ on him to change his religion, and to go over to the
‘ Church of *Rome* ? he stood up, and laid his hand up-
‘ on his breast, and said, “ God, and his holy angels,
‘ “ knew, that he had never changed ; but that he had
‘ “ gone among them on purpose to betray them (a).”
‘ And, if he may be believed, betray them he did : for,

(x) *Stafford's Tryal*,
p. 25. fol.
London,
1680-1.

(b) Vol. 1.
p. 428.

was supposed, by *Coleman's* letters, and
the

' the jesuits having given him ten pounds to carry letters to *Madrid* ; he, by the way, broke up the letters, and afterwards revealed their contents (b). — ' He was moreover, according to *Burnet*, proud and ill-natured ; haughty, but ignorant. — He was once presented for perjury : but he got to be chaplain to one of his majesty's ships, from which he was dismissed upon complaint of some unnatural practices, not to be named.' A very hopeful evidence, truly ! Lord *Stafford*, in his defence, observed, ' that any man that shall pretend himself to be a papist, for what end soever it be that he so pretends, and dissembles with God Almighty, which he must do to a great height in receiving that sacrament, which is, by your lordships and the house of commons, declared to be gross idolatry, is not easily to be esteemed a witness. I appeal to your lordships, to the house of commons, and every body, whether such a fellow, that will abhor his religion, let him do it for any ends in the world, be a man to be credited ; and especially engaging in such a way, to such an height, in that which his conscience tells him is idolatrous, is not a perjured fellow, and no compleat witness ? No Christian ; but a devil, and a witness for the devil (c).'

(b) Narrative of the Plot, p. 2. fol. Lond. 1679.

(c) Tryal, p. 128.

2. *Oates's* narrative is absolutely incredible. Can it be supposed that letters containing treason, high treason, should be intrusted to a new convert ? That jesuits would subscribe their names to letters of such a nature in his presence, and permit him to see and read them ? That they should tell him, ' they would not let the
' Black

THE LIFE OF

the murder of Sir Edmondbury Godfrey.

It

‘ Black Bastard go to his grave in peace (meaning the
 ‘ King of *England*); for that he had cheated them so
 ‘ often, and that now they were resolved to be served
 ‘ so no more; and that the duke’s passport was ready,
 ‘ whenever he should appear to fail them?’ Is it cre-
 dible that the fathers of *St. Omers* should direct such a
 man to compose letters for them, and sign them when
 composed, ‘ praying the *English* jesuits to prosecute their
 ‘ design in taking away the king; and if his royal high-
 ‘ nefs should not comply with them, to dispatch him
 ‘ too: for they did fear, that never any of the *Stuarts*
 ‘ were men for the effecting any of their ends and pur-
 ‘ poses?’ — Will any reasonable man imagine, that
 a provincial of jesuits would own, to such a one, that
 they employed persons to burn the *City of London*,
 and to plunder during the flames? That they would
 communicate to him a plan for firing *Westminster, Wap-
 ping, Tooley-Street, Barnaby-Street, and St. Thomas Apost-
 les?* A man, one would think, must be capable of
 swallowing transubstantiation, who can believe these things
 which are contained in *Oates’s* narrative, and sworn by
 him with all solemnity! But something rather more
 surprizing follows: *Oates* being thus intrusted, *Oates*
 having the lives of numbers at his mercy, was yet very
 ill treated by the provincial himself. Hear his account
 of the matter. — ‘ When the provincial saw the de-
 ‘ ponent [*Oates*], he asked him, With what face he could
 ‘ look upon him, since he had played such a treacherous
 ‘ trick with them? and struck the deponent three
 ‘ blows with his stick, and a box on the ear; and charg-

‘ ed

It was an intricate affair, attended with
impro-

ed him with being with the king, and a minister with him, whom he suspected to have informed the king of those things : because that *Bedingfield* had related, in a letter to *Blundel*, that the Duke of *York* had related some such thing to him ; and did therefore judge that it must be the deponent that must have been drawn in by some persons to the same. But at last the provincial told the deponent, that he was willing to be reconciled to him, if he would discover what the parson was, his name, and place of abode ; to the end they might be secure of him ; and were resolved to kill him. And in the mean time the deponent was ordered to make himself ready to go beyond the seas within fourteen days, as he, the provincial said, (d).’ I observe farther, that though the sentence passed on *Oates* by the judges, in the latter part of this reign, was adjudged in parliament, after the Revolution, to be unprecedented, cruel, and illegal ; yet, after debate, a clause was inserted in the bill for reversing the judgments given against him, that, until the said matters, for which the said *Oates* was convicted of perjury, be heard and determined in parliament, that the said *Oates* shall not be received in any court, matter, or cause whatsoever, to be a witness, or give any evidence ; any thing in this act, in any wise, contained to the contrary notwithstanding (e).’ What is this, but declaring him perjured ? and what stress can be laid on the testimony of such a man ?

3. Nor were the other principal evidences much better men, or deserving of more credit. *Bedlow*, by his
own

(d) Narrative, p. 54.

(e) Tor-
buck's Par-
liamentary
Debates,
vol. ii. p.
458.

improbabilities of many kinds; but believed,

(f) Burnet,
vol. 1. p.
450.

(g) Lond.
fol. 1679.

own confession, had sworn falsely; and was told by
 ‘Wylde, a worthy and antient judge, that he was a per-
 ‘jured man, and ought to come no more into courts,
 ‘but to go home and repent (f).’ Indeed he must have
 been truly Oates’s fellow, if we may credit his own ac-
 count. In the title page of his ‘Narrative of the Plot
 ‘for burning and destroying the Cities of London and
 ‘Westminster,’ he styles himself one of the popish com-
 mittee for carrying on such fires (g). In the book itself
 we have the following paragraphs: ‘In the month of
 ‘June, 1676, it was my fortune to be at Paris, at the
 ‘English convent of *Benedictine Monks*, with whom I
 ‘had much ingratiated myself; so that at that time they
 ‘reposed an entire confidence in me, as a fit instrument
 ‘for their purposes. Amongst other discourses that hap-
 ‘pened there about the great business, which they and
 ‘others were then most vigorously carrying on, viz. to
 ‘subvert the protestant religion, and introduce popery
 ‘into *England*; they fell to debate the several ways
 ‘and means preparatory thereunto, and what might be
 ‘the best expedients to facilitate and accomplish the
 ‘same: and as they did nothing without correspondence
 ‘and communication of counsels from their fellow con-
 ‘spirators in *England*; so some or one of them produced
 ‘several letters from *London*, wherein were divers parti-
 ‘culars relating to the firing of the City and Suburbs of
 ‘*London*, and other cities and eminent towns in *England*,
 ‘which was then and at all times concluded and agreed
 ‘to, by them, to be the chief way and almost only
 ‘means in their power, whereby to plain the way for
 ‘their design: for they were unanimously of opinion,
 ‘that

believed, notwithstanding, by the wisest
and

that it was absolutely necessary to weaken and ruin the
said city of *London*, ere they could bring any of their
other contrivances to perfection. — After this dis-
course, they at last proceeded to ask me, whether I
would be assistant to them in carrying on that business,
as I had been in the other great concern; this being
one of the best expedients to ripen and push on that?
To which I readily seemed to assent; assuring them,
that I could and would do more therein than any other
could: magnifying what intimate knowledge I had of
all parts of *London*, and some other great trading ci-
ties; which did capacitate me to effect such a business
more certainly and securely than another. In fine,
they were extremely satisfied; and told me, that when
I came to *England* I should be joined as an assistant to
Father *Gifford*, for prosecuting the said affair. —
In short, for near a twelvemonth before I came in to
make a discovery, I had been employed to use all arts,
and endeavours, to carry on this design of firing the
City of *London*, and other places about it; and the
order and conduct of it, how, and where, to set my
fires, was left chiefly to my management; but with
this limitation, that the jesuits, who were the master
incendiaries, and my employers, were to see and in-
spect how far and how sure I had laid my combustibles
and fewel; which, accordingly, they did (b). — (b) Id. p. 2.
This, I presume, is sufficient for *Bedloe's* character.

4. *Dugdale, Turberville, Smith*, and the *Irish* evi-
dences, were little better than knights of the post;
ready

and best part of the nation. Many
suffered

"(i) See
Colledge's
Tryal; and
Burnet, p.
504 -- 506.

(k) Hume's
History of
Great Bri-
tain, vol. ii.
p. 282.

ready to attest any thing, or every thing, in order to
obtain money to support themselves in their vices (i).

5. It is alledged, that *Coleman's* letters alone are suf-
ficient to destroy all the credit of *Oates's* narrative.

' For how could so long a train of correspondence be
' carried on by a man so much trusted by the party; and
' yet no traces of insurrections, if really intended, of
' fires, massacres, assassinations, invasions, be ever dis-
' covered in any single passage of these letters (k) ? '

6. It is said, that it seems utterly improbable
that Sir *Edmundbury Godfrey* was murdered by the
papists; though it was sworn, believed, and some of
that persuasion were executed for the concern they were
supposed to have had in it. — ' These religionists
' [the papists] could not be engaged to commit that
' crime from policy, in order to deter other magistrates
' from acting against them. *Godfrey's* fate was no way
' capable of producing that effect, unless it were pub-
' lickly known that the catholicks were his murtherers;
' an opinion which, it was easy to foresee, must prove
' the ruin of their party. Besides, how many magis-
' trates, during more than a century, had acted in the
' most violent manner against them, without its being
' ever suspected that any one had been cut off by assas-
' sination? Such jealous times as the present were,
' surely, ill fitted for beginning these dangerous experi-
' ments. Shall we, therefore, say that the catholics
' were pushed on, not by policy, but by blind revenge
' against *Godfrey*? But *Godfrey* had given them little

' or

suffered for it, protesting their innocence

or no occasion of offence in taking *Oates's* evidence. His part was merely an act of form, belonging to his office ; nor could he, or any man in his station, possibly refuse it. In the rest of his conduct he lived on good terms with the catholics, and was far from distinguishing himself by his severity against that sect. It is certain that he had contracted an intimacy with *Coleman* ; and took care to inform his friend of the danger to which, by reason of *Oates's* evidence, he was at present exposed. — We must, therefore, be contented to remain for ever ignorant of the actors in *Godfrey's* murder ; and only pronounce, in general, that that event, in all likelihood, had no connexion, one way or other, with the popish plot. Any man, especially so active a magistrate as *Godfrey*, might, in such a city as *London*, have many enemies, of whom his friends and family had no suspicion. He was a melancholy man ; and there is some reason, notwithstanding all the pretended appearances to the contrary, to suspect that he fell by his own hands (1).

(1) *Id.* p.
284.

7. All the persons, who suffered for the plot, protested their innocence to the last moment of their lives. This seems unaccountable upon any principles of human nature ; and is not to be paralleled in antient or modern story, on the supposition that they were guilty of the crimes for which they died. We are to remember, that not only priests, but a nobleman, gentlemen, and persons in low stations of life, all, uniformly, denied the facts for which they were executed.

cency in their last moments. All this
had

Let us now see what is said on the other side of the question. — And,

1. With regard to the character of the witnesses : it is replied, ' That though these mens evidence might not have been credited in other cases ; yet, it is fit to consider witnesses in civil and criminal cases. In civil cases, men may make elections of what witnesses they please ; and 'tis their fault if they make not use of men of known integrity and repute, that more credit may be given to their evidence : and the end of civil actions and contracts is, that they may be known. But immoral and wicked actions are deeds of darkness, and contrived so as they may not be known ; so that the knowledge of them comes to pass either from accident, or from the conspirators themselves : as if only one man sees a murderer, or thief, kill or rob another ; if his testimony shall not be taken because otherwise an ill man, multitudes of murders and thefts might pass unpunished. So if *Cicero*, when *Fulvia* first discovered *Catiline's* conspiracy to him, had told her, she was a whore, and no credit could be given to any thing she said ; *Rome* might have been in flame, as *London* was, and all the senators throats might have been cut. But admit, no credit could be given to any or all these mens testimonies, who were all roman catholics ; I would know what objection could be made against Mr. *Jenison* (a gentleman of birth and quality), who gave no evidence at *Ireland's*, *Wake-man's*, *Pickering's*, or *Grove's* tryals ; and changed his religion

had no effect: but the nation, being
alarmed

religion when he heard that *Ireland*, who was his father's confessor at his death, denied he was in town, but in *Staffordshire*, when *Oates* and *Groves's* maid said he was in *London* in *August*, 1678, and printed it, and the reasons of it; and also at my Lord *Stafford's* trial, in open parliament deposed, that *Ireland* told him, there was but one stood in the way, and that it was an easy thing to poyson the king; and that Sir *George Wakeman* might easily, and opportunely do it: and that in *August*, 1678 (when *Ireland*, at his death, declared he was in *Staffordshire*), *Ireland* told Mr. *Jenison*, in *London*, when he was newly returned from *Windsor*, how easily the king might be taken off; and asked Mr. *Jenison*, if he would be one of them who should go to *Windsor*, and assist at the taking off the king, and proffered Mr. *Jenison* to remit 200 l. which he owed *Ireland*, if he would. Then *Ireland* asked, if he knew any stout *Irishmen*? who answered, he knew Captain *Levallion*, Mr. *Kerney*, *Brohal*, and *Wilson*. *Ireland* told him, he knew *Levallion* and *Wilson*; and then *Ireland* asked him, if he would go with them, and assist them in taking off the king? After this, *Ireland* told Mr. *Jenison*, he was going to the club, where Mr. *Coleman*, Mr. *Levallion*, and *Kerney* would be; and that he wanted 80 l. which he desired Mr. *Jenison* to return him. Mr. *Jenison* further deposed, that his brother, Mr. *Thomas Jenison* (a jesuit), said, if C. R. will not be R. C. which he interpreted to be, *Si Carolus Rex non esset Rex catholicus, non diu foret Rex Carolus*; and that it was no great sin to take

alarmed with the fears of what they
imagined

‘ him off. Mr. *Jenison* desiring a new commission in the
‘ new-raised army, his brother told him, he would pro-
‘ cure him one from the Duke of *York*; and that there
‘ was another army to be raised, but this was not to be
‘ till the king was taken off: and this I say, that about
‘ this time there was a general rumour of a page being
‘ killed upon a couch in the night, at *Windsor*, where
‘ the king was laid but a little before; and that the king,
‘ upon the fright of it, came next morning to *London*; and
‘ that it was Prince *Rupert* who, with much importuni-
‘ ty, got the king (having been drinking hard before)
‘ from the couch, and put him to bed; and that the page,
‘ who was killed asleep upon the couch, was wrapt up
‘ in the cloak the king was in (m).’

(m) *Coke's*
Detection,
vol. ii. p.
281.

2. However incredible *Oates's* narrative, at this dis-
tance of time, may seem; the plot, discovered by him,
was believed by men of the first distinction then,
and, in consequence thereof, those who were convicted
of being concerned in it were deemed to have suffered
with justice, by the most respectable personages of the
kingdom. — Sir *William Temple* writes, ‘ I never saw
‘ greater disturbances at home, than had been raised by
‘ the plot, and the pursuit of it in the parliament; and
‘ observed, that though it was generally believed by both
‘ houses, by city and country, by clergy and laity; yet,
‘ when I talked with some of my friends in private, who
‘ ought best to know the bottom of it, they only con-
‘ cluded that it was yet mysterious; that they could not
‘ say the king believed it; but, however, that the parlia-
‘ ment and nation were so generally and strongly possess-
‘ ed with it, that it must of necessity be pursued as if it
‘ were true, whether it was so or no (n).’ — *Alger-*

(n) *Works*,
vol. ii. p.
491. 8vo
dit.

‘ 703

imagined was about to befall them, and
being

non Sydney, in a letter to *Henry Saville*, says, 'On Friday last *Harcourt*, *Whitebread*, and three other priests, were, at the *Old Baily*, found guilty of the plot, and condemned as traitors. On Saturday the like sentence passed upon *Langborne*. The tryals were in all respects fair, even by the confession of the adversaries. The arraigned persons placed all the hopes of their defence upon the invalidating *Oates's* testimony; to which end they had about 16 witnesses sent from *St. Omers*, to assert, that they had seen him every day in *May* and *June* was a twelvemonth at *St. Omers*, and consequently he could not be here as he doth assert; but as three of them, having been apprehended by *Sir Will. Waller*, at their first coming, told him they were come to be witnesses; and being asked, what they were to witness? they said, they must know that from their superiors: it did plainly appear at the tryal, that they were ready to say whatever they were bid; and *Oates* did plainly prove, by a knight and two of his servants, two protestant parsons, a popish priest, and some others, that he was here at that time; so as his testimony was taken without dispute. This is a dangerous leading case for the lords in the *Tower*, whose principal hopes were to invalidate the testimony of *Oates*, *Bedloe*, and *Dugdale*; all which being confirmed by the judgment of a jury, in the face of all *London*, cannot be questioned (o).' — And Lord Chief Justice *Scroggs*, though a court tool, declared from the bench, on the jury's finding *Green*, *Berry*, and *Hill*, guilty, 'that if he had been one with them, he would have found the same verdict; and if,' said he, 'it were the last word I were to speak in this world, I

(o) Letters
to Saville,
p. 101. 8vo
edit.

being in great dread of what might
hereafter

(p) Tryal
of Green,
&c. p. 86.
fol. Lond.
1679.

(q) Jour-
nal, 24 Mar.
1678.

‘ should have pronounced them guilty (p).’ — We find, moreover, that it was resolved, *nemine contradicente*, by the house of commons, ‘ that they were fully satisfi-
‘ fied, by the proofs they had heard, that there is, and
‘ for divers years last past had been, a horrid and trea-
‘ sonable plot and conspiracy, contrived and carried on
‘ by those of the popish religion, for the murdering his
‘ majesty’s sacred person; and for subverting the pro-
‘ testant religion, and the antient and well-established
‘ ed government of this kingdom (q).’ The lords con-
curred in the same vote, unanimously, the next day.
At the tryal of Lord *Stafford*, after a full examination
of the evidence, and an able defence made by his lord-
ship, Sir *William Jones*, one of the managers for the
commons, said, ‘ My lords, I think I may take leave to
‘ say, that the plot, in general, hath been sufficiently
‘ proved. And if we consider what hath been proved
‘ at former tryals (upon which many of the offenders
‘ and traytors have been executed), what hath been
‘ published in print, and, above all, *Coleman’s* letters,
‘ written all with his own hand, and for that reason im-
‘ possible to be falsified; we may justly conclude, there
‘ is not a man in *England*, of any understanding, but
‘ must be fully convinced of the truth of the plot in
‘ general. I shall spare to mention the resolutions and
‘ declarations of two parliaments, and of both houses
‘ in those two parliaments without (as I remember),
‘ one dissenting voice, expressing their full satisfaction
‘ of the reality of the plot; so that, I think, now none
‘ remain that do pretend not to believe it, but two sorts
‘ of

hereafter happen, cast about for the
means

‘ of persons, the one those that were the conspirators
‘ in it, and the other those that wished it had succeeded
‘ and desire it may so still (r).’ — Were all these per-
sons wholly mistaken ?

(r) Tryal
of Lord
Stafford, p.
169.

3. It is admitted, that there are no clear traces of
insurrections, fires, massacres, invasions, or assassinations,
in *Coleman's* letters, as far as appears from what
were published. But what is the meaning of the ex-
pressions I have before quoted, ‘ We are about a great
‘ work, no less than the conversion of three king-
‘ doms, and the total and utter subversion and subduing
‘ of that pestilent heresie which has domineered over
‘ great part of this Northern world a long time ; there
‘ never was such hopes of success since the death of
‘ *Q. Mary* (s) ?’ What the meaning of *Coleman*, in
writing to the pope's nuncio, ‘ that they had in agita-
‘ tion great designs, worthy the consideration of his
‘ [the nuncio's] friends, and to be supported with all
‘ their power : wherein,’ adds he, ‘ we have no doubt
‘ but to succeed ; and it may be to the utter ruin of the
‘ protestant party, if you join with us in good earnest,
‘ and cordially second our interest (t) ?’ — Surely
one would be led, by these expressions, to imagine some
deep-laid designs against the nation, intrusted to foreign
potentates, and promised to be supported by them.
The spirit of popery is enterprizing, and flicks at no
means to accomplish its end. — There is, amongst
Coleman's letters, one from the pope's nuncio, with
whom he had corresponded at *Brussels*, dated, *Rome*,
Jan. 12, 1675, written so obscurely, that the house of

(s) *Cole-*
man's Let-
ters, p. 118.

(t) *Id.* p. 8,

means of safety. — The Test Act, which

commons could not decypher it; nor was *Coleman* himself, though directed to the Duke of *York* for the key, able to master it. But the late very learned Dr. *Letherland*, who had capacity, and industry, and curiosity, sufficient to surmount almost every difficulty, applied himself to it, and very obligingly communicated to me the success of his endeavours. Here follows the letter, as far as he was able to discover it. ‘What you propose, touching the money which is in the castle, cannot be put in execution by the pope, but with the consent of all the cardinals, and only in cases comprised in the bulls. You may then consider if, in the terms where- in are at present the affairs of 80204, it would be to purpose, for the interest of the duke, to make public an affair of such a nature as this, of which I assure you with truth, and the duke may be perswaded is what in case he shall be one day the master of 3 204. will imploy 6681272 and 5108126 and the credit for to assist to re-establish 5166. 81266. in 9981204 (u).’ *Coleman*, in reply to this, after saying that he had been unsuccessful in his endeavours to decypher this letter, adds: — ‘But, Sir, though I understand not all your letter, yet I see enough in it to assure myself of the pope, and of the emperor, and particularly of the inter- nuncio, in all that concerns the affairs of the duke, whereof you have promised us yet new proofs. I shewed that part of your letter to the duke, and he commanded me to let you know how sensible he is thereof, and to give you thanks from him for it. I find also you do not approve the discourse I made you

(u) Id. p. 221. See also page 25 and part ii. p. 7.

which had received the royal assent
in

‘in my last letter, which I do not at all wonder at, because the subject of that discourse is so nice, or delicate, that many of the most quick-sighted persons have shewed their weakness in the conduct of that affair, and have been so entangled in it, that, after having declared themselves with much heat against *the manner of proceeding* of others, upon that matter, as *base and detestable*; they, within a while after, have become guilty of the same baseness.’ — What can these expressions refer to? not money, one would think, as Mr. Coleman interpreted *aid and assistance* to be, at his trial (x).

(x) P. 73.
fol. Lond.
1678.

4. *Godfrey's* murder, probably, was the work of the catholics. For though he had ‘a kindness for the persons of many roman catholics; yet he always declared a particular hatred and detestation of popery. I say this,’ says Dr. *Lloyd*, ‘on purpose to be remembered (because some would have him a papist, or inclined that way): I never pleased him with any duty I performed, at least he never thanked me for any, so much as he did for those sermons which I preacht here against popery (y).’ *Lloyd*, we are to observe, was *Godfrey's* friend; and very attentive to every thing relating to his murder. Let us hear him then, and judge from his evidence. — ‘Now I speak of discovery, methinks, I see you all stirred up, as it were, expecting that I should name you the persons that did this bloody fact. I would I could, for sundry reasons. But I cannot pretend to that. I can only say, with *David*, they were wicked men. — Since we know not who they are who were the authors

(y) Funeral
Sermon, p.
13. 4to
1678.

in one thousand six hundred and seventy-
two,

‘ thors of this wickedness, at least can we find who they
‘ are that are not willing we should know it? They
‘ that have practised and intrigued to this purpose, to
‘ endeavour to hinder the search, or the discovery; if they
‘ knew what they did, we have reason to judge they were
‘ concerned for themselves, or for their friends. You
‘ cannot but remember the dust that was raised in the
‘ week when the search should have been made; those
‘ calumnies and those various reports that went about,
‘ as it were, on purpose to hinder the discovery. One
‘ while, he had withdrawn himself for debt; another
‘ while, he was married, and that not very decently;
‘ another while, he was run away with a harlot. —
‘ At last, when they knew what they intended to do
‘ with him, they prepared you to expect it, by giving
‘ out that he had killed himself. You know how impa-
‘ tient they were to have this believed. I was told it
‘ some hours before the discovery, that he was found
‘ with his own sword through the body: others could
‘ tell that he had two wounds about him. These things
‘ were found to be true some hours after. But then
‘ they devised sundry untruths to colour it. It was sug-
‘ gested, it was done in distraction; which, they said,
‘ was an hereditary disease in his family: that his fa-
‘ ther and his grandfather had it before him: that
‘ this disease, being stirred up by some misapprehensi-
‘ ons, wrought that dire effect upon him to make him
‘ kill himself. These things (from whatsoever author
‘ they came), being confidently said, were as easily be-
‘ lieved by them who knew nothing to the contrary. I
‘ confess,

two, ' for preventing the dangers which
 ' might happen from popish recusants, and
 ' quieting

' confess, I knew not what to think myself, till *I saw the*
 ' *contrary with my eyes.* When I *saw* he was strangled, as
 ' well as thrust through, I soon considered that no man
 ' could kill himself both those ways. — For the melan-
 ' choly that was observed in our friend, I think, none,
 ' that knew him, ever thought it distraction, or any
 ' thing tending that way; but a thoughtfulness sometimes
 ' that proceeded from the intricacy and multiplicity of
 ' business: I believe the weightiest business that ever he
 ' had, was that which made him say some days before
 ' his death, I am told, I shall be knock'd on the head.
 ' He said this in my hearing, without any great visible
 ' concern. He continued the same he ever was in his
 ' daily conversation; serious in business, but chearful
 ' and pleasant at other times. Thus he used to be al-
 ' way. He was so to the last day of his living life; that
 ' is, to the hour we lost him. And how he was after-
 ' wards, I suppose, they best know that were the au-
 ' thors of these rumours (z). — If you know of any
 ' that could not think themselves safe while he lived, you
 ' have great reason to believe you know the authors of his
 ' death. I have not so far been privy to his doings, as
 ' that I could be able to enter into this secret; much
 ' less to know of any personal malice against him. He
 ' that was so tender-hearted, even to those whom he
 ' punished, could not provoke any one to this height of
 ' revenge. Much less were they robbers, or any such
 ' poor rogues, that kill men for what they have. These
 ' did their work *gratis*: they left him all his money:
 ' they

(z) Id. P.
 22.

‘ quieting the minds of his majesty’s
‘ subjects,’

‘ they took nothing but his band, except papers. ’Tis
‘ therefore very credible, that the authors had some
‘ other interest that moved them to it. And that seems
‘ rather to have been against the government and the
‘ laws. They knew how firm he was in his duty to
‘ both; and, perhaps, they had tried it in something
‘ else than we know of. If so, they could not but think
‘ it worth their while to send him out of the world.
‘ One that durst do his duty, when he knew whom, and
‘ what, he should provoke by it; one that would give so
‘ ill an example to other magistrates, which, if follow-
‘ ed, might be the ruin of their cause; what could they
‘ think of such a man? We cannot scare him, we can-
‘ not bribe him; but we can kill him. They could
‘ not have thought of a more compendious way than

(a) Id. p. 36. ‘ that (a).’ — Whether this amounts to a proof
that the roman catholics were concerned in the death
of *Godfrey*, may be a question: but whether he was
murdered by himself, or by others, can be none; more
especially if we add, ‘that when the body was found,
‘ the surgeons deposed, on the tryal of *Berry, Green,*
‘ and *Hill*, that his breast was all beaten with some ob-
‘ tuse weapon; his neck broken; a sword run through
‘ his body, but no evacuation of blood. Besides, adds
‘ the surgeon, his bosom was open, and he had a flannel
‘ waistcoat and a shirt on; and neither these nor any of
‘ his cloaths were penetrated (b). A great deal of gold
‘ and silver was found in his pocket.’ Mr. *Hume* would
have done well to have considered this evidence, before

(b) P. 37.
and Burnet,
vol. i. p.
422.

‘ subjects,’ not being deemed fully sufficient

he had so peremptorily said, ‘ there was some reason to suspect that he fell by his own hands.’

5. If the roman catholics were wholly innocent, why did they attempt to bribe, to blacken, to defame the evidences made use of against them? Innocency gives courage: guilt inspires fear; and fear lays hold on every twig for security. ‘ One *Reading*, a lawyer,’ says *A. Sydney* to *H. Saville*, ‘ not long since, offered four thousand pounds, and three hundred pounds a year in land, to *Bedloe*, if he would disavow the testimony he had given against the lords of *Powis*, *Bellasis*, and *Peters*; which being communicated to Prince *Rupert*, and Earl of *Effex*, he brought *Reading*, by their advice, into a place where two witnesses heard him: whereupon *Reading* was apprehended; and he having found means, whilst he was in the serjeants hands, to send a letter to his wife to be delivered to Mr. *Chymins* (desiring to be admitted to the kings presence, promising to tell great matters), his majesty refers him wholly to the house of commons, and offers to issue out a commission of oyer and terminer for his tryal, which will be very speedy, if he save not himself by discoveries. This morning a letter was intercepted, written to him by his wife; wherein she tells him, that every body says he is a rogue; and if he doth not confess all, he will be hanged, and she, together with her children, ruined (c).’ In another letter he writes, ‘ Several priests were taken the last night; of which two confess they were sent over by all means to endeavour to invalidate *Oates* and *Bedloe*’s testimony. *Reading* was this morning

(c) Letters,
p. 27.

cient for the purposes intended; a new Test was devised (NNN), whereby the members

(d) Id. p. 48.

(e) See
Stafford's
Tryal, p. 13.
and Burnet,
vol. i. p.
449.

(f) Letters,
p. 124.

(g) North's
Life of Guil-
ford, p. 125.
4to. Lond.
1742. Bur-
net, p. 509.

ing in the pillory, and is condemned to a years imprisonment, and 1000 pounds fine, for having endeavoured to corrupt *Bedloe* (d). In short, persons were convicted, and for ought appears justly, of suborning men to swear buggary against *Oates*, and of corrupting *Dugdale* (e). — Does not this look suspicious?

6. It is said, there is nothing extraordinary in the denials of the persons executed, at the time of their death. They pleaded innocency, it is true, to the last: but popery has a bewitching power, and is capable of making its thorough votaries say and do the most false and villanous things. 'Those who use to extol all that relates to *Rome*, admire the constancy of the five priests executed last week: but we simple people,' says *Sydney*, 'find no more in it, than that the papists, by arts formerly unknown to mankind, have found ways of reconciling falshood, in the utmost degree, with the hopes of salvation; and, at the best, have no more to brag of, than that they have made men dye with lies in their mouths (f).' — What stress, indeed, can be laid on the assertions of dying men, when, it is well known, that *Bedloe* and *Turberville* left the world asserting the truth of their evidence with regard to the plot; though few men deny that they were infamous, perjured wretches, and unworthy of the least credit (g). — The reader, as he has a right, will determine on the whole evidence.

(NNN) *Test Acts against papists were framed.*] After what we have seen of the insolent behaviour of the catholics,

members of both houses, and the king's
and

catholics, and the great encouragement given to them (b); we are not to wonder that the zeal of the nation was raised against them, and every method devised for hindering the success of their designs.

(b) See note
(GGG).

Hitherto fanaticism had been the object of dread; and those stiled fanatics, by means of a Test, whereby the illegality of resistance, and of the Solemn League and Covenant, were to be declared, and the Sacrament, according to the rites of the church of *England*, to be received, had been kept out of corporations. For it was supposed, that men, who believed the lawfulness of resistance and the obligation of the Covenant, and disliked the mode of administration of the sacrament, or thought it criminal, would not submit unto it. In a great measure this answered the purpose of the Minister *Hyde*, who took every method to deprive his adversaries of power, and to establish such as would fall into measures for the advancement of regal and ecclesiastical authority. — In the midst of the storms which had fallen with such violence on the several sects who conformed not to the public ritual; the papists had been pretty secure. It was now their turn to have somewhat of the same treatment with other dissenters. On the 28th of *Feb.* 1672, it was resolved, *nem. con.* in the house of commons, ‘that an address be prepared, to be presented to his majesty, for suppressing the growth of popery: and that a bill be brought in, for incapacitating all persons, who shall refuse to take the oaths of allegiance and supremacy, and the sacrament according to the rites of the Church of *England*, of holding any
‘ public

and queen's sworn servants, were obliged
to

(b) Journal. 'public employments, military or civil (b).' — The address was drawn; and, with the concurrence of the lords, presented; and graciously received. Nor was the bill unminded: for, on the 12th of *March* following, it was resolved, by the commons, that the bill do pass; and that the title be, 'An act for preventing dangers which

(f) Id. 'may happen by popish recusants (i).' By this bill, which soon passed into a law, it is enacted, under severe penalties, That all and every person or persons, as well peers as commoners, that shall bear any office or offices, civil or military — shall take the oaths of Supremacy and Allegiance; — and shall also receive the sacrament of the Lord's Supper, according to the usage of the church of *England*, — in some parish-church, upon some Lord's day, immediately after divine service and sermon. A declaration against transubstantiation was required likewise (k). — *Burnet* informs us, 'that great pains

(k) Stat.
25 Car. II.
c. 2.

'were taken by the court to divert this bill. They 'proposed, that some regard might be had to protestant 'dissenters, and that their meetings might be allowed. 'By this means they hoped to have set them and the 'church party into new heats; for now all were united 'against popery. *Love*, who served for the city of *London*, 'and was himself a dissenter, saw what ill effects any such 'quarrels might have: so he moved, that an effectual 'security might be found against popery; and that no- 'thing might interpose till that was done. When that 'was over, then they would try to deserve some favour: 'but, at present, they were willing to lye under the se- 'verity of the laws, rather than clog a more necessary 'work with their concerns. The chief friends of the

'sects

to make a solemn declaration of their
dis-

‘sects agreed to this (l).’ — ‘Thus,’ says (l) Vol. i.
this writer, ‘this memorable session ended. It was, P. 347.
‘indeed, much the best session of that long parliament.
‘The church party shewed a noble zeal for their reli-
‘gion; and the dissenters got great reputation by their
‘silent deportment. After the session was over, the
‘duke carried all his commissions to the king, and wept
‘as he delivered them up: but the king shewed no con-
‘cern at all. Yet he put the admiralty in a commission,
‘composed wholly of the duke’s creatures: so that the
‘power of the navy was still in his hands. Lord *Clif-*
‘*ford* left the treasury (m).’ This, I suppose, at the (m) Id. p.
time, was deemed no small matter: for a popish lord 252.
high admiral, and a lord high treasurer of the same reli-
gion, must have been objects of terror in such a season.
In the passage first quoted from *Burnet*, it is said,
‘great pains were taken by the court to divert this bill;’
and it is truly said: for the tools of the court, who had
been foremost in promoting persecuting bills against pro-
testant dissenters; and had laughed at, insulted, and vi-
lified them on every occasion: these wretches, I say, al-
tered now their note; and talked loudly of humanity,
religion, hardships of impositions, and many other things,
which all the world thought they had had no sense of.

—— ‘Let men carry humanity about them,’ said Sir
John Duncombe, on this occasion; who declared farther,
‘that he did not like to expose holy things in this man-
‘ner. Many,’ added he, ‘are not prepared; and will
‘you force him to swallow it down to damn himself (n)?’

(n) Grey’s
Parliament-
ary Debates,
vol. ii. p.
78—80.

—— Mr. Secretary *Coventry* said in the house, ‘If
VOL. II. M ‘you

disbelief of the most important articles of
faith

‘ you make papists incapable of dangerous places, you
‘ will increase them : — If papists may be merchants,
‘ and not soldiers, they will increase more : — It is not
‘ prudent to make your plaister wider than your sore.’ —
Sir *John Birkenhead* affirmed, ‘ that, in *Queen Mary’s*
‘ time, were never put to swear it [transubstantiation].
‘ Though there are distinctions of *realiter, et verè, et*
‘ *corporaliter*, would not have a scholastical oath. —
‘ We say God is there, and the difference is *de modo*.
‘ Great charge on the synod of *Dort*, who would im-
‘ pose swearing controversial points. — As the words
‘ are now penned, people are put to swear they know
‘ not what : and for the dangerousness thereof, would
(*) *Id.* p. 97. ‘ lay it aside (o).’ Mr. *Sollicitor North* ‘ would have
‘ no swearing. — He was for the *Covenant Test* as a
‘ seditious thing. But as this is no way tending to it,
‘ but only as to doctrinal points, is against such an oath.’
Such doctrine, from such mouths, could not but be had
in derision. — It is very observable, that, upon the first
reading of this bill in the house of lords, *March 15,*
1672, O. S. the *Earl of Bristol* spoke in its favour. —
This nobleman had made a great figure in the beginning
of the civil wars, and had rendered himself remarkable
by his wit, his eloquence, his projects, and exploits of
various kinds. Whilst abroad, he left the protestant and
took up with the roman catholic religion, whether from
motives of conscience, or policy, is uncertain. He, how-
ever, always declared himself a catholic of the Church
of *Rome*, not a catholic of the Court of *Rome*, in which
character he chose to place himself for the view of o-
thers.

faith professed by the Church of *Rome*.

The

thers. — After making a very handsome introduction, he observes, ‘ that the bill, in his opinion, was as full of moderation towards catholics, as of prudence and security towards the religion of the state. In this bill,’ proceeded he, ‘ my lords, notwithstanding all the alarms of the increase of popery and designs of papists, there is no mention of barring them from private and modest exercise of their religion; no banishing them at such a distance from court; no putting in execution of penal laws in force against them: all their precautions are reduced to this one intent, natural to all societies of men, of hindering the lesser opposite party from growing too strong for the greater and more considerable one; and in this way of just prevention, is not the moderation of the house of commons to be admired, that they have restrained it to this sole point, of debarring their adversaries from offices and places, and from accessions of wealth, by favour of the sovereign? They considered well, that wealth and power, from public charges and employments, do range the generality of men to opinions and parties, more strongly far than all other arguments; according to the saying of *Eneas Silvius* (himself a pope), That the popes superiority over general councils would ever find most doctors for it, because the pope had so many bishoprics to give, the councils none. I say, my lords, that, in contemplation hereof, the wisdom of the house of commons has wholly applied its care, in this bill, to hinder (as appears most reasonable) those of an opposite party from a part of the government of that state under whose

M 2

‘ protection

The Duke of *York*, indeed, was expressly excepted in this act. — But, as he was now known

‘ protection they live. It is true, my lords, some roman
 ‘ catholics may seem to be put to extraordinary tests
 ‘ in this act; and such as, upon the score of consci-
 ‘ ence, as a roman catholic, I shall give my negative to
 ‘ but speaking as a member of a protestant parliament,
 ‘ I cannot but think prudent and reasonable in the pro-
 ‘ posers; their end being solidly to secure the fears of
 ‘ those they represent. And after all, my lords, how
 ‘ few do the sharp trials and tests of this act regard? only
 ‘ a few such roman catholics as would fain hold offices
 ‘ and places, at the price of hypocrisy and dissimulation
 ‘ of their true sentiments in religion. My lords, I am
 ‘ none of those, none of those wherry-men in religion
 ‘ who look one way and row another. I have had the
 ‘ honour to exercise a great charge of state under the
 ‘ last king, of blessed memory; and to continue the
 ‘ same under our most gracious sovereign that now is
 ‘ till it pleased Almighty God to call me (even at the
 ‘ article of death) to that religion, wherein, I trust, he
 ‘ will give me the grace to live and dye, what danger
 ‘ soever may be set before me. But after that call, my
 ‘ first work, my lords, was to deliver up the seals to the
 ‘ king uncommanded, as judging it unfit (though the
 ‘ in a catholic country) for any man of a different reli-
 ‘ gion from his prince, to exercise a charge of that im-
 ‘ portance under him; and I am now, my lords, much
 ‘ more of that opinion than ever (p).’ — This test
 on the discovery of the popish plot, was enlarged. The
 reasons of it, as well as the new test itself, I transcrib

(p) Two
 Speeches of
 George, Earl
 of Bristol.
 Lond. 1674.
 4to.

known to be a papist, and to have connexions with *France* and *Rome*, it was judged,

from the Statute Book, as follows: — ‘ Forasmuch as divers good laws have been made for preventing the increase and danger of popery in this kingdom, which have not had the desired effects, by reason of the free access which popish recusants have had to his majestys court, and by reason of the liberty which of late some of the recusants have had and taken to sit and vote in parliament: Wherefore — be it enacted, that — No person who now is, or hereafter shall be, a peer of this realm, or member of the house of peers, or sit there during any debate in the said house of peers; nor any person that now is, or hereafter shall be, a member of the house of commons, shall vote in the house of commons, or sit there during any debate in the said house of commons; after their speaker is chosen: until such peer or member shall, from time to time, respectively, and in manner following, first take the several oaths of Allegiance and Supremacy; and make, subscribe, and audibly repeat, this declaration following: — I, *A. B.* do solemnly and sincerely, in the presence of God, profess, testify, and declare, that I do believe that, in the sacrament of the Lords Supper, there is not any transubstantiation of the elements of bread and wine, into the body and blood of Christ, at or after the consecration thereof, by any person whatsoever: and that the invocation or adoration of the Virgin *Mary*, or any other saint, and the sacrifice of the mass, as they are now used in the Church of *Rome*, are superstitious and idolatrous. And I do solemnly, in the presence of God, profess, testify, and declare, that I do make this

judged, that all hitherto done was lost labour, while the succession to the crown

was

‘ declaration, and every part thereof, in the plain and
 ‘ ordinary sense of the words read unto me, as they
 ‘ are commonly understood by *English* protestants, with-
 ‘ out any evasion, equivocation, or mental reservation
 ‘ whatsoever, and without any dispensation already
 ‘ granted me for this purpose by the pope, or any other
 ‘ authority or person whatsoever, or without any hope
 ‘ of any such dispensation from any person or authority
 ‘ whatsoever, or without thinking that I am or may be
 ‘ acquitted before God or man, or absolved of this de-
 ‘ claration, or any part thereof, although the pope, or
 ‘ any other person or persons, or power whatsoever,
 ‘ should dispense with or annul the same, or declare that
 ‘ it was null or void from the beginning (q)’ — There
 was a proviso added, that nothing in the act contained
 should extend to the Duke of York. — This law ef-
 fectually cleared the houses of parliament from the roman
 catholics. But the former law, if we may believe the
 commons in their address to his majesty, *May* 29, 1680,
 was to little purpose. — ‘ The act of parliament,’
 say they, ‘ enjoining a test to be taken by all persons
 ‘ admitted into any public office, and intended for a se-
 ‘ curity against papists coming into employment, had so
 ‘ little effect, that, either by dispensations obtained from
 ‘ Rome* they submitted to those tests, and held their of-

(q) Stat.
 30 Car. II.
 c. i.

* Sixty commissions to popish officers were signed, in about five or six
 weeks, in the year 1678. — And Mr. Onslow, in the house of com-
 mons, affirmed, that a bull was set up in St. James’s chapel, with orders to
 all confessors to absolve men for taking the oaths and the test. Grey’s Par-
 liamentary Debates, vol. vi. p. 219.

‘ fices

was within his view. A bill, therefore, was brought into the house of commons,

‘fices themselves ; or those put in their places, were so favourable to the same interests; that popery itself has rather gained than lost ground since that act.’ —

Popery is subtle, crafty, compliable on occasion, and insinuating : and the papists, the men of skill among them, know how to accommodate their principles and behaviour to those over whom they endeavour to bear rule.

Any thing, but an absolute renunciation of their principles, will they profess; and conform to the customs of heathens ; in order to proselyte them to a doctrine much worse than heathen. The behaviour of the jesuits in

China is a sufficient proof of this. — *Burnet* tells us, the latter test ‘passed in the house of commons without

‘any difficulty. But in the house of lords, *Gunning*,

‘Bishop of *Ely*, maintained, that the Church of *Rome*

‘was not idolatrous. He was answered by *Barlow*,

‘Bishop of *Lincoln*. The lords did not much mind

‘*Gunnings* arguments, but passed the bill. And tho’

‘*Gunning* had said that he could not take that test with

‘a good conscience ; yet, as soon as the bill was passed,

‘he took it in the crowd with the rest. The duke got

‘a proviso put in for excepting himself. He spoke, up-

‘on that occasion, with great earnestness ; and, with

‘tears in his eyes. He said, He was now to cast him-

‘self upon their favour in the greatest concern he could

‘have in this world. He spoke much of his duty to the

‘king, and of his zeal for the nation : and solemnly pro-

‘tested, that, whatever his religion might be, it should

‘only be a private thing between God and his own soul ;

commons, for excluding(ooo) him from
succeeding

(r) Vol. i.
P. 435.

‘ and that no effect of it should ever appear in the go-
‘ vernment. The proviso was carried for him by a few
‘ voices; and, contrary to all mens expectations, it pass-
‘ ed in the house of commons (r).’ How well the Duke
of York kept his word, may, perhaps, be seen here-
after.

(ooo) *A bill was brought in for excluding the Duke of York from the succession to the crown.*] If Coleman’s papers were defective in proof of the plot, they amply shewed what the nation was to expect if ever the duke succeeded to the crown, as there was great probability he one day would. In a letter to the French king’s confessor, dated, June 29th, 1674, Coleman says, ‘ I am
‘ commanded to tell you, that his royal highness, my
‘ master, is very sensible of the friendship of his most
‘ Christian Majesty, which he will endeavour to culti-
‘ vate very carefully, and give him all possible assurances
‘ of it, to take away all jealousies that his enemies would
‘ raise to the contrary. That his royal highness has
‘ done nothing, in any manner whatsoever, nor in any
‘ place, against the interest of his most Christian Majesty;
‘ but hath rendered him all the good offices he hath
‘ been capable of. That as for recalling the parliament,
‘ and touching my Lord A——, his highness is altoge-
‘ ther of the opinion of his majesty, that neither one nor
‘ other is useful, but quite contrary, very dangerous, as
‘ well for *England* as *France*; and that his most Christian
‘ Majesty is in great danger of losing the neutrality of
‘ *England* at the next session (if the parliament meet),
‘ as he lost its alliance by the peace of *Holland* at the last;
‘ because

succeeding to the throne. This was a
bold

‘ because the lower house, and their friends (as the furious protestants, and the malecontents in the house of lords), have a design to lessen his royal highness, and root out the catholic religion; and they think they cannot make use of any other fitter means to attain their end, than to raise the *Dutch*, and to perplex his most Christian Majesty as much as lyes in their power. That his highness doubts not, but it is absolutely necessary for the interest of his most Christian majesty, and his royal highness, to use all endeavours to hinder the meeting of the parliament, by perswading his *Britannic* Majesty, that his greatness, his honour, and his quiet, are no less concerned therein than theirs; so that if his most Christian Majesty would write freely his thoughts thereupon to his *Br.* Majesty, to forewarn him of the danger he apprehends from thence; and would withall think fit to make him the same generous offers of his purse, to perswade him to dissolve the present parliament, as he hath done to his highness for the election of another; perhaps he would succeed therein by the assistance we would give him here (s).’ —

(s) Letters,
P. I.

In a letter to the internuncio, dated, 21 Aug. 1674, he says, ‘ it is the duke alone upon whom all the rest [of the catholics] do entirely depend (t).’ And in a letter to the same person, dated, Sept. 11 following, he tells him, ‘ your friends, the emperor and the pope, will have a fair occasion of giving marks of their friendship to Mr. [the duke], by joining their credit and interest to his, to make the great design (which he hath so long meditated) succeed, to undermine the intrigues

(t) Id. p. 7.

of

bold step: but, in spite of court influence,

(x) Id. p.
22.

‘ of that company of merchants who trade for the parliament and the religion, and to establish that of the associated catholics, in every place, which may be done (without any great trouble), if the emperor and the pope will grant him their assistance, and that *Spain* will not too obstinately oppose him; as he hath hitherto done to his own prejudice (u).’ — In a letter from the internuncio, dated, *Bruxelles*, 14th Aug. 1674, it is said, ‘ the emperor is entirely the duke’s; and the internuncio has this week received letters from him, wherein he commands him to assure the duke of the passionate zeal he has for his service, and those of the catholics. I pray you acquaint the duke with it; and assure him, that the internuncio has also the same inclinations, as he will make appear on all occasions that shall present themselves: but it must be the duke himself must direct in what we may contribute to his service. The pope also will give his assistance in such things as are proper for him to appear in (x).’ — In a letter from Cardinal *Norfolk* to *Coleman*, dated, *Ap.* 18, 1676, we read, ‘ that Cardinal *Norfolk* had, some time since, a letter left at his lodging, from the duke, by I know not who; yet he called himself the duke’s agent: and by what Cardinal *Norfolks* servant tells me, he seemeth to be an *Italian*, as it is most probable; for, if he were of *England*, I think, he would not so publickly give himself that name, which can do the duke no good at present to be called so in *Rome* publickly: although I think it were very fitting the duke should have a good one; and if he like of it, Cardinal *Norfolk* offers

ence, it passed in due form where it
took

‘fers him who useth to write to you, Mr. J. Lay;
‘for whose ability, fidelity, and activity, Cardinal *Nor-*
‘*folk* will answer; and what he cannot do, Cardinal *Nor-*
‘*folk* will supply, and this without taking the name of
‘it or any interest, which certainly others would ex-
‘pect, and, perhaps, want: but he doth neither. This
‘you may offer the duke in Cardinal *Norfolk’s* and his
‘name (y).’ — I will add but one or two passages

more from the cardinal’s letters. — ‘What you
‘wrote,’ says he, ‘of the dukes being advanced one step
‘towards the catholic religion, was a most welcome news
‘to Cardinal *Norfolk*, who presently rejoiced our pope
‘and Cardinal *Altieri* with it: and now yours of the
‘twenty-seventh hath fully compleated Cardinal *Nor-*
‘*folk*, our Pope, and Cardinal *Altieri’s* joy with it (z).’

— And again, in another letter, ‘The adjoined pac-
‘quet, which I now direct to you, contains the popes
‘brief, in answer to the second letter from his royal
‘highness (a).’ — After the publication of these let-
ters, no man could possibly doubt of the religion and
politics of the duke. His principles were most danger-
ous; his connexions fatal to the nation: and it behoved
every man of sense and virtue to guard against him. Accord-
ingly we find the best men in the house of commons took
the alarm. Lord *Russel*, Nov. 4, 1678, moved to ‘address
‘the king, that his royal highness may withdraw him-
‘self from his majesty’s person and councils (b).’ This
being seconded by Mr. *Booth*, produced a great debate.
The courtiers were firm to his royal highness; and had
strength enough to adjourn the debate. The king,
however, thought proper to assure both houses, that he

would

(y) Id. p.
87.

(z) Id. p.
88.

(a) Id. p.
92.

(b) Journal.

took its rise; and was much applauded by

would be ready to give his consent to such reasonable bills as should be presented, to make them safe in the reign of any successor, so as they tend not to impeach the right of succession, nor the descent of the crown in the true line; and so as they restrain not his power, nor the just rights of any protestant successor. This, possibly, would have satisfied at that time. But the long parliament being dissolved, which had manifested such zeal for his majesty's service, and been so much at his beck, and another of a different complexion chosen; the current against the duke ran so high, that, though he absented from the king's person and councils*, it was resolved, 'May 9, 1679, that the Duke of York's 'being a papist, and the hopes of his coming such to the 'crown, has given the greatest countenance and encouragement to the present conspiracies and designs of the 'papists against the king, and the protestant religion (c).' Two days after, being *Sunday*, 'it was resolved, that a bill be brought in to disable the Duke of 'York to inherit the imperial crown of this realm (d).' A bill was accordingly brought in, read twice, and committed to a committee of the whole house; but proceeded no farther, by reason of the prorogation and dissolution of the parliament. The matter did not rest here; but was revived and prosecuted, with the utmost zeal, by the commons (though rejected by the lords, and had in abhorrence by his majesty), in the two following parliaments. But all in vain. The king was

(c) Journal.

(d) Id. See also Temple's Works, vol. ii. p. 532. 8vo.

* The duke went abroad; first into Holland, and then to Brussels.

determined

by the friends of their country. — In
the

determined to adhere to the succession, and prefer the interest of his brother to that of the nation. Worthy shepherd! excellent king! May never a prince of this disposition reign over us again.

It is very natural to suppose a bill, of this extraordinary nature, must have been warmly debated. In fact, it was. Some account of these debates I will give for the satisfaction of the reader. — Mr. *Harbord*, with great spirit, declared, ‘he was satisfied, as long as the duke had any prospect left of coming to the crown, the king could not be safe. So long as *Mary*, Queen of *Scots*, was alive,’ continued he, ‘Queen *Elizabeth* was neither safe in her person or government. — The king, in his speech, bids us look to the prosecution of the plot, that he and the kingdom may be safe. This being considered, you have reason for your vote. I appeal to you, whether, since the king came in, our misery, directly or collaterally, has not arisen from the duke. My trust is here for the people and the state; and I have no gratitude to pay the duke. The king is his sovereign lord as well as mine; and I appeal, whether it was not for the duke’s sake this wife was procured for the king. A great part of the world thought her incapable of children: but such was the authority of some people then, that they laid this as the foundation for the duke to succeed. In short, from thence we may derive our woes. Let us see what the nation hath done for him contrary to all precedents. At *Oxford*, a hundred and twenty thousand pounds was given to the duke for his good services t sea. And after you had stigmatized persons in parliament, they

the house of lords it met a different fate.

‘ they were taken into his service. Two persons were
 ‘ raised by him. Lord *Clifford* was introduced, sup-
 ‘ ported, upheld, and maintained by the duke. Popery,
 ‘ and arbitrary power, have attended things for these fe-
 ‘ veral years last past. I shall never forget how the *Eng-*
 ‘ *lish* were sacrificed at the fight with the *Dutch* at *Sole-*
 ‘ *bay*. To preserve the *French* Kings subjects, the *Eng-*
 ‘ *lish* were exposed, and foreigners saved. Lord *Sand-*
 ‘ *wich* was forced to command the blue squadron, and
 ‘ to give precedency to the white flag of *France*. When
 ‘ they thought they had made a mistake, and the *English*
 ‘ were exposed, three or four of the *French* ships fought,
 ‘ and they were turned out of their places for it when
 ‘ they came home. And when that villain, Sir *Joseph*
 ‘ *Jordan*, betrayed the fleet, the duke got him a pension.
 ‘ And who commanded this fleet we all know. I must
 ‘ say, that it is my opinion, that till the papists see that
 ‘ the duke cannot be king, the king’s life will be in dan-
 ‘ ger. Therefore, I move for a bill to exclude the
 ‘ Duke from the succession (e).’ — Colonel
 ‘ *Titus* observed, ‘ all was now at stake ; and,’ added he,
 ‘ I am come hither to do my duty, and to speak plain.
 ‘ Was there any place left for moderation, or expedient,
 ‘ I would run into it. To act moderately, that is to
 ‘ act with reason : immoderately, is with passion. No man
 ‘ advises you to love your wife and children moderately,
 ‘ or to serve God moderately. One on the highway
 ‘ advises me to ride moderately, or I shall tire my horse,
 ‘ or break my neck ; and it is good advice. But when
 ‘ thieves pursue me, to advise to ride moderately, is to
 ‘ have

(e) Grey’s
 Debates,
 vol. vii. p.
 396.

fate. — His majesty's dislike to it being

‘ have me knocked on the head, and lose my purse. A
 ‘ ship captain, who had sprung a leak in his ship, advised
 ‘ his men to pump moderately for fear of calentures;
 ‘ but the men pumped on, and saved the ship. But for
 ‘ whom do we urge this moderation? Is it for one to
 ‘ expect moderation again? For our souls, we are here-
 ‘ tics; they will burn us, and damn us. For our estates,
 ‘ they will take our lands, and put monks and fryars
 ‘ upon them. Our wives and children must beg: and
 ‘ this is the moderation we are like to expect from them.
 ‘ But this is not the worst of it yet. Though protest-
 ‘ ants differ ever so much in principles, and disobligati-
 ‘ ons; yet, upon common principles of humanity, they
 ‘ agree. But here is no probability of that from the pa-
 ‘ pists. Nobody did promise more not to alter religion,
 ‘ to the *Norfolk* and *Suffolk* men, when they stuck to her
 ‘ title, than Queen *Mary* did; but when she came to
 ‘ the crown, she burnt them, and was even with them:
 ‘ and for the crown of *England*, she gave them a crown
 ‘ of Martyrdom (f).’ ----- Mr. *Boscawen* said, ‘ Can (f) *Id. p.*
 ‘ any man think them [the papists] the disciples of 400.
 ‘ Christ, that have murdered so many good Christians,
 ‘ and committed that massacre in *Ireland*, where the go-
 ‘ vernment was protestant? After all kind usage and
 ‘ intermarriages amongst them, the papists in *Ireland*
 ‘ murdered some hundred thousands: a thing not heard
 ‘ of among heathens! These I cannot call Christians.
 ‘ If this be so, we cannot expect better usage from
 ‘ them than our ancestors have had. Remember the
 ‘ massacre of *France*, where, under pretence of inviting
 ‘ all

ing publickly known, through the politeness

all the great protestants to the king of *Navarre's* marriage, they had their throats cut. In *Piedmont*, the poor protestants were hanged up like mice and rats; and we cannot expect grapes from thorns, or figs from thistles. We can expect no better from them. Consider the duke's interest; how it is engaged with *France* and the Pope against *England*, in opposition to the king, and the parliament, and the true interest of *England*. God is my witness, had I the least probability of security, I would not open my mouth against the duke's succession. The king living, and though the parliament has made so many declarations against these restless spirits, yet nothing will content them; and all from the great encouragement they have from the hopes of the duke's coming to the crown, and the countenance they have from him. As for the legality of putting the duke from the succession, &c. the statute of the 13th of *Eliz.* puts that out of question; and self-preservation is no breach of Christianity. I now speak for the whole body of *England*, to our preservation; which cannot be without something of this nature. If it should be made lawful to rise against a king that is a papist; why should we not prevent it, and having our throats cut, and going to *Smithfield*? It is natural in every government to preserve itself. Here is no *majus et minus* in that case, that makes no difference. If you make a king that shall have tutors; you, by that, dethrone him: either you must make him no king, or your laws will not bind him when he is king. The nation was easily drawn

into

liteness of the nobles; who had pretensions

‘into popery after Queen *Mary’s* time; and the privy
‘counsellors in *Hen. VIII’s*, *Edw. VI’s*, Queen *Ma-*
‘*ry’s*, and Queen *Elizabeth’s* time, all changed, when
‘the prince changed. They were of the bishop of *Pa-*
‘*ris’s* mind, who would not change his part in *Paris*
‘for his part in *Paradise*. The nature of our govern-
‘ment is quite contrary to any expedient. The king
‘names all the counsellors, judges, and bishops. And
‘what manner of king would you make him, by limit-
‘ing him? It was the saying of King *James*, Let me
‘make what bishops and judges I please, and I will
‘have what laws and religion I please. As for the fear
‘of a civil war, if once the putting the duke from the
‘succession, &c. be a law; whoever rise against it are
‘traytors. Nothing will unite protestants but this bill:
‘nothing will prevent a civil war but this, and prevent
‘us from being hauled to *Smithfield*: nothing else will
‘prevent this but the bill, and therefore I am for it (g).’

(g) Id. p.
411.

—— What spirit; what force of expression! What
zeal for religion; what love of liberty is here! No
fawning on majesty; no court to ministers; no expres-
sions of servility; proceeded from the mouths of the
ever-glorious patrons of this bill. — In an age like
this, when we are openly told; ‘that no branch of
‘Christianity is intolerant by principle;’ — ‘that
‘it is the opinion, in a manner universally held by
‘all catholies, that the pretence to the deposing power
‘was an usurpation of the Court of *Rome*;’ — ‘that
‘it is now near 200 years since the popes pretended to

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N

‘exercise

fions to court-favour; and the gratitude
of

(b) Considerations on the Penal Laws against Roman Catholics, p. 7 ---9. 8vo. Lond. 1764.

(i) Brooke's Tryal of Irish Roman Catholics, passim.

(k) Answer to Mayhew's Observations, p. 66. 8vo. Lond. 1764.

(l) See a Discourse concerning Laws made against Heretics by Popes, &c. P. 34. 4to. Lond. 1682.

‘ exercise this power, which is a tacit disavowal of it (b):’
— when we are taught to believe that the *Irish* rebellion was far from being the effect of religious opinion; and trifling, in comparison of what has been represented (i): — and when popery is looked upon as so harmless a thing, ‘ that popish bishops reside here, and go about to exercise every part of their function without offence, and without observation (k):’ in an age like this, the zeal expressed in these speeches against popery, and the terrible consequences apprehended from its re-introduction amongst us, will appear very amazing. — But we are to remember, that the promoters of the exclusion bill had read history; attended to facts; drew proper consequences from them; and were not to be talked out of their senses by men void of shame. They knew, that popery was always the same: — intolerant, barbarous, and bloody. They knew the decrees of councils against heretics; knew, that there were inquisitions; knew, that there were dragoonings, and persecutions, most horrid, carried on against the protestants, at that very time. What were promises in the eyes of men, who were fully convinced, that though a prince, who embraced the romish faith, should promise not to persecute his protestant subjects, according to the tenor of popish severe and sanguinary laws; yet his solemn promises cannot give to them any just security of freedom and exemption from those punishments (l). Had not the *Morisco's*, in *Spain*, solemn promises? Had not the *Hugonots* in *France*? Aye; and oaths too: — but they

of the bishops, for their preferments;
mixed

they were of no avail. — Whether it be an opinion, in a manner universally held by all catholics, that the pretence to the deposing power was an usurpation of the court of *Rome*, will be easily judged, when the reader is informed, ‘ that no longer ago than *Sept. 25, 1728*, *Hildebrand* (Pope *Gregory VII.* one of the most wicked of mankind, and most infamous even of popes), ‘ was exalted into a saint by *Benedict XIII.* and in a ‘ Supplement to the *Roman Breviary*, his festival is ordered to be kept by all Christians with a double office. ‘ The collect is, “ O God ! the strength of all that “ trust in thee, who hast endued the blessed *Gregory*, “ thy confessor and pope, with virtue and constancy to “ defend the liberty of the church ; grant to us, that, “ by his example and intercession, we may overcome valiantly all that opposeth us.” ‘ And to point out in ‘ what particular his zeal is to be imitated, the lessons for the day tell us : No pope, since the apostles days, ‘ did or suffered more for the church, or fought more ‘ desperately for it. Against the impious attempts of ‘ the Emperor *Henry*, he stood an intrepid champion, ‘ and deprived him of the communion of the faithful, ‘ and of his dominions ; and absolved all his subjects ‘ from their allegiance. — While he was celebrating ‘ mass, a dove was seen flying down from heaven, and ‘ sitting with expanded wings on his right shoulder, as ‘ a proof that he was guided by the inspiration of the ‘ Holy Ghost. — At length this true saint went to ‘ heaven, &c. — By order of our most holy father,

mixed with hopes, perhaps, of future
good

(m) Lavington's Enthusiasm of Papists and Methodists, part iii. p. 274. 8vo. Lond. 1751.

' *Benedict XIII.* Lord of the city, and of the world
' (*urbis & orbis*). Signed, N. Cardinal *Coscia* (m). —
' This is a 'tacit disavowal,' with a vengeance! —
' To return. — In answer to these arguments, Mr.
' *Hyde*, the duke's brother-in-law, better known by his
' title of Earl of *Rocheſter*, which he afterwards obtained,
' ſaid, 'I am of opinion, that the duke, for deſerting his
' religion, deſerves a great many mortifications from the
' nation; and, I believe, the duke is convinced, that it
' cannot be reaſonable for him to expect to come to the
' crown upon ſuch terms as if he had not given thoſe
' apprehenſions and jealousies. The queſtion is urged
' for bringing in a bill of excluſion: but there is one
' queſtion before that, Whether the houſe will go into
' a grand committee, to conſider of ways and means for
' the preſervation of the proteſtant religion? Does any
' man think this bill will paſs the lords, and the king
' too? I pray God the king may outlive the duke!
' But if it comes to the duke's turn, whether will the
' duke acquieſce in this law? What ſecurity of impor-
' tance is this law, if the duke outlive the king? The
' king, by paſſing this bill, will involve the nation in a
' civil war; and then the ſhort queſtion will be, Whe-
' ther a civil war is more dangerous than a popiſh ſuc-
' ceſſor? Are theſe looked upon as trifling things?
' There are more proteſtants than papists in *England*;
' and they may give a popiſh ſucceſſor trouble, ſhould
' he attempt a change in religion. In all times there
' have been a great many worthy men, who, in all diffi-

' culties,

things : — the majority of the lords
rejected

culties, will stick to the crown ; and, in process of time, there will be discontents among them who oppose the crown : and those that are not pleased, will join with them that are loyal, and there will be trouble in changing the succession. It has been hinted, over the way, as a remedy to preserve religion, To leave the duke as a general without an army. Now you have an opportunity, you may make several laws to suppress popery, and of leaving the duke alone ; which being so, he cannot subvert the protestant religion. You have now opportunity, and you know a popish successor, and may bind *James, Duke of York*, by name ; and there is one power yet above between him and the succession. The duke may die before the king ; and the king may marry again, and have a successor. Besides, the crown has but a narrow revenue ; and the parliament must supply it from time to time for the ordinary exigencies of the crown, and the parliament will then provide for their own safety better than by taking this way proposed (n). — *Sir L. Jenkins* argued on the same side of the question ; and, among many other things, observed, ' that the consequence of this bill is altering the government from successive to elective. The successor is to be disinherited, because of a supposed demerit : and where we can punish demerit, we may reward merit ; and, consequently, the crown may be removed from the royal line to any other. But I confess myself at a loss to know, by what law or authority we can do this, or by what rules we are to try and judge of the qualification of our princes. I do not

(n) Grey's
Debates,
vol. vii. p.
402.

rejected the bill, though evidently calculated

‘ here consider the duke’s personal merits ; because I
 ‘ should speak as much for any one next in blood,
 ‘ though without merit at all. I might say, first, as to
 ‘ his religion, if it is popish, yet that he is no bigot ;
 ‘ because his children are all bred protestants, and so are
 ‘ his servants, especially those that have the largest share
 ‘ in his esteem ; and that he has never been wanting
 ‘ in respect and favour to any one of that profession.
 ‘ That he is not only the presumptive heir of the
 ‘ crown, brother of his present majesty ; but the son of
 ‘ of a king, for whom so many of your ancestors have
 ‘ laid down their lives and liberties, and most men their
 ‘ fortunes. That he hath fought our battles with brave-
 ‘ ry ; that he is exactly just between man and man ; a
 ‘ strict observer of his word ; and never yet entrenched on
 ‘ any man’s property : these things malice itself cannot
 ‘ deny ; but, with me, they are the least considerable in
 ‘ this case, for it is his apparent, indisputable right of
 ‘ succession, which I most contend for. The law says,
 ‘ If a man is disseised of an estate tail, his child, though
 ‘ not born at the time of his disseisure, shall have a writ
 ‘ of *formedon*, and shall recover ; because his father was
 ‘ disseised *contra formam donationis*. And if in private estates
 ‘ descents do regulate possessions and properties ; why
 ‘ should it be otherwise in the case of kingdoms ? or
 ‘ what casuist can give me a sufficient reason, why the
 ‘ birthright of princes should not have the same rules of
 ‘ natural justice, as those of private men ? Or how
 ‘ can any one think, that wrongs and injuries done to
 ‘ princes, must not, one time or other, be as severely
 ‘ counted

lated to prevent the greatest mischief.

Such

accounted for, as those done to other men? Could the late king have disinherited his present majesty? No: because he was to succeed by the law. No more, therefore, can his present majesty consent to disinherit him that is next in blood. And, I dare say, this is the first instance of any such attempt against a prince whose proximity of blood is indisputable (o). Burnet tells us, 'all *Jenkins's* speeches and arguments against the exclusion, were heard with indignation (p). We see, indeed, they were wretchedly contemptible, and even unworthy of serious argument among men capable of discernment. — But though the majority in the house of commons were thus zealous against the duke, they were far from being determined amongst themselves who was fittest to succeed to the crown. Some, it seems, were for the Prince of *Orange*; others, for the Duke of *Monmouth*; whilst a third party were only upon negatives, as Mr. *Sydney* speaks. 'But,' adds he, 'when I have said what I can upon this business, I must confess, I do not know three men of a mind; and that a spirit of giddiness reigns amongst us, far beyond any I have ever observed in my life (q).'

—— To go on. — The bill was argued for in the house of lords, by the Earls of *Shaftesbury* and *Effex*; and the Lord *Halifax* was the champion on the other side, who is said to have gained great honor in the debate, and to have a visible superiority to *Shaftesbury* in the opinion of the whole house. Let us, however, hear the account of this debate, as preserved by Mr. *Johnson*, from Lord *Effex* himself. — 'That learned nobleman,

(o) *Jenkins's* Life, prefixed to his Letters, vol. i. p. 101. fol. Lond.

1724.
(p) Vol. i. p. 482.

(q) Letters to Saville, p. 53.

Such was the influence of this monarch
in

‘ the great Earl of *Essex*,’ says he, ‘ was pleased to tell
‘ me what arguments he insisted upon in that debate.
‘ The first was, that the regality of *England* was an of-
‘ fice, concerning which the seventeenth chapter of
‘ King *Edward* the Confessor’s laws is wholly spent;
‘ and it is so declared to be in many acts of parliament
‘ as low as Queen *Mary*’s time : and that a woman, as
‘ well as a man, might be invested with the regal office.
‘ Hereupon he said, that a person unqualified, as all the
‘ world knew the Duke of *York* was, could not be ad-
‘ mitted to that office. Upon discourse about this, I
‘ remember his lordship was pleased to take down *Lam-*
‘ *bert*’s *Saxon Laws*, and shew me several particulars in
‘ that seventeenth chapter which I had forgot. His se-
‘ cond argument was to prove, that if the Duke of *York*
‘ had unqualified himself for that high office, as he plain-
‘ ly had for the meanest office in *England*, then the par-
‘ liament had, undoubtedly, power to foreclose him and
‘ set aside his remainder in the crown ; because they
‘ had power to domore. This, he said, was the known
‘ law of *England*, and agreed upon by Lord Chancellor
‘ *More*; and *Richard Rich*, then Solicitor General, and
‘ afterwards Lord *Rich*; as a first established principle.
‘ Upon which they argued about the supremacy.
‘ It stands thus in the record, as we have it, p. 421, of
‘ Lord *Herbert*’s History. The solicitor demanded, If
‘ it were enacted, by parliament, that *Richard Rich*
‘ should be king, and that it should be treason for any
‘ man to deny it ; what offence it were to contravene this
‘ act ? Sir *Thomas More* answered, That he should of-
‘ fend

in that august assembly! A popish successor,

send if he said no, because he was bound by the act; but this was *casus levis*: whereupon Sir Thomas said, he would propose a higher case; suppose by parliament it were enacted *quod Deus non sit Deus*, and that it were treason to contravene; whether it were an offence to say according to the said act. Richard Rich replied, yea: but said withal, I will propose a middle case, because yours is too high. The king, you know, is constituted supream head of the church on earth: why should not you, Master More, accept him so, as you would me if I were made king by the supposition aforesaid? Sir Thomas More answered, The case was not the same; because, said he, a parliament can make a king, and depose him: and that every parliament-man may give his consent thereunto; but that a subject cannot be bound so in the case of supremacy, *Quia consensum ab eo ad parlamentum præbere non potest, et quam rex sic acceptus sit in Anglia, plurimæ tamen partes exteræ idem non affirmant*. Because the parliament-man cannot carry the subjects consent to parliament in this case (that is to say, nobody but Christ could make his own vicar, and the head in heaven make the head on earth); and although the king be held to be head of the church here in *England*, yet the greatest part of the world abroad are of another mind. Here Sir Thomas More stuck; for, I believe, stick he did, because he laid down his life for it: but, you see, that the undoubted unquestioned law of the land was this, that a parliament can make and depose a king, for it is the foundation of their arguing: and it cannot be thought that
a learned

cessor, probably, in his eye could be
no

‘ a learned lord chancellor and solicitor general should
‘ be both ignorant in the first principles of the law.
‘ Neither would *Richard Rich* have been made a lord,
‘ and the head of a noble family of earls, if it had not
‘ been current law in those days : for such a principle
‘ upon record would have been as bad, and hurt his
‘ preferment as much, as if he had been stigmatized.
‘ And, therefore, my Lord of *Essex*’s argument was
‘ more than measure ; that if a parliament could make
‘ and depose a king, and make *Richard Rich* king, much
‘ more they might foreclose the Duke of *York*, who
‘ was no king, and more unqualified than *Richard*
‘ *Rich* ; and might make the Prince of *Orange*
‘ king, anotherghes man than *Richard Rich*. —
‘ Thus that great man argued : but care was taken that
‘ he should argue for the good of his country no more.
‘ — Indeed my Lord of *Essex* told me, that his adver-
‘ saries in that debate waved the jargon of divine right,
‘ and the line of succession ; — and at that time they
‘ betook themselves chiefly to reasons of state. They
‘ were got at the old scarecrow, *venient Romani*, the fo-
‘ reign catholics would espouse the Duke of *York*’s quar-
‘ rel ; the antient kingdom of *Scotland* would admit him
‘ for their king, in opposition to our act of parliament ;
‘ and this would entail a dangerous war upon the nation
‘ (that is, I suppose, the navy royal of *Scotland* would
‘ have given law to the *English* fleet). They were, like-
‘ wise, doubtful of *Ireland* : and if these two kingdoms
‘ were dismembered from us, the solitary kingdom of
‘ *England* would not make that figure in the world as it
‘ used to do. And therefore, according to the method

no curse to his people; and he might be unwilling to punish his brother for that

‘ of all hired politics, they must make sure of sinking three kingdoms for fear of losing two, and deliver up the castle for fear the suburbs should revolt. With such fitting arguments was that cause supported: and if I have broken any rules in repeating that great man’s private discourse, now it is done, I cannot help it (r).’ — The pressing this exclusion bill by the commons, in the two last parliaments, was one reason given by his majesty for their dissolution. — ‘ Contrary to our offers and expectation, we saw that no expedient would be entertained but that of a total exclusion; which we had so often declared was a point, that, in our own royal judgment, so nearly concerned us, both in honor, justice, and conscience, that we could never consent to it. In short, we cannot, after the sad experience we have had of the late civil wars, that murdered our father of blessed memory, and ruined the monarchy, consent to a law, that shall establish another most unnatural war, or at least make it necessary to maintain a standing force for preserving the government and peace of the kingdom. And we have reason to believe, by what passed in the last parliament at *Westminster*, that if we could have been brought to give our consent to a bill of exclusion, the intent was not to rest there, but to pass further, and to attempt some other great and important changes even in present *.’ This and other things, most reproach-

(r) Works
of Mr. Sam.
Johnson, p.
313. fol.
Lond. 1710.

* Declaration touching the causes that moved him to dissolve the two last Parliaments, p. 6. Fol. Lond. 1681.

that of which he knew himself equally guilty. An excellent prince, truly! ---

His

ful to the majority of the house of commons, in two parliaments, was ordered to be read in all churches and chapels throughout the kingdom. But they wanted not their advocates; who observed, on this declaration, ' that his majesty does not seem to doubt of his power, ' in conjunction with his parliament, to exclude his brother. He very well knows this power hath been often ' exerted in the time of his predecessors: but the reason ' given for his refusal to comply with the interests and ' desires of his subjects, is, because it was a point which ' concerned him so near in honor, justice, and conscience. Is it not honorable for a prince to be true and ' faithful to his word and oath? to keep and maintain ' the religion and laws established? Nay; can it be ' thought dishonorable to him to love the safety and welfare of his people, and the true religion established among them, above the temporal glory and greatness of his personal relations? Is it not just, in conjunction ' with his parliament, for his people's safety, to make ' use of a power warranted by our *English* laws, and the ' example of former ages? Or is it just for the father ' of his country to expose all his children to ruin, out ' of fondness unto a brother? May it not rather be ' thought unjust to abandon the religion, laws, and liberties of his people, which he is sworn to maintain ' and defend, and expose them to the ambition and rage ' of one that thinks himself bound in conscience to subvert them? If his majesty is pleased to remember what ' religion

His conduct, indeed, in other respects,
was greatly detrimental to the nation;
as

‘ religion the duke professeth, can he think himself
‘ obliged in conscience to suffer him to ascend the throne
‘ who will certainly endeavour to overthrow it, and set
‘ up the worst of superstitions and idolatry in the room
‘ of it? Or if it be true, that all obligations of honor,
‘ justice, and conscience, are comprehended in a grate-
‘ ful return of such benefits as have been received; can
‘ his majesty believe that he doth duly repay, unto his
‘ protestant subjects, the kindness they shewed him,
‘ when they recalled him from a miserable helpless ba-
‘ nishment, and with so much dutiful affection placed
‘ him in the throne; enlarged his revenue above what
‘ any of his predecessors had enjoyed, and gave him
‘ vaster sums of money in twenty years than had been
‘ bestowed upon all the kings since *William* the First;
‘ should he, after all this, deliver them up to be ruined
‘ by his brother? It cannot be said that he had therein
‘ more regard unto the government than to the person,
‘ seeing it is evident the bill of exclusion had no ways
‘ prejudiced the legal monarchy, which his majesty does
‘ now enjoy with all the rights and powers which his
‘ wise and brave ancestors did ever claim, because many
‘ acts of the like nature have passed heretofore upon less
‘ necessary occasions. The preservation of every go-
‘ vernment depends upon an exact adherence unto its
‘ principles; and the essential principle of the *English*
‘ monarchy being that well-proportioned distribution of
‘ powers, whereby the law doth at once provide for the
‘ greatness

as it tended to increase the power of
France, the natural rival and foe of
Britain.

‘ greatness of the king, and the safety of the people; the
 ‘ government can subsist no longer than whilst the mo-
 ‘ narch, enjoying the power which the law doth give
 ‘ him, is enabled to perform the part it allows unto him,
 ‘ and the people are duly protected in their rights and
 ‘ liberties. For this reason our ancestors have been al-
 ‘ ways more careful to preserve the government invio-
 ‘ lable, than to favour any personal pretences; and have
 ‘ therein conformed themselves to the practice of all
 ‘ other nations, whose examples deserve to be followed.
 ‘ Nay, we know of none so slavishly addicted unto any
 ‘ person or family, as, for any reason whatsoever, to ad-
 ‘ mit of a prince who openly professed a religion con-
 ‘ trary to that which was established amongst them. It
 ‘ were easy to alledge multitude of examples of those
 ‘ who have rejected princes for reasons of far less weight
 ‘ than difference in religion; as *Robert of Normandy*,
 ‘ *Charles of Lorrain*, *Alphonso* a desperado of *Spain*: but
 ‘ those of a later date, against whom there was no other
 ‘ exception than for their religion, suiteth better with
 ‘ our occasion: Among whom it is needless to men-
 ‘ tion *Henry of Bourbon*; who, though accomplished in
 ‘ all the virtues required in a prince, was, by the gene-
 ‘ ral assembly of the estate at *Blois*, declared incapable
 ‘ of succession to the crown of *France*, for being a pro-
 ‘ testant. And notwithstanding his valour, industry,
 ‘ reputation, and power, encreased by gaining four great
 ‘ battles; yet he could never be admitted king, till he
 ‘ had

Britain. — On his restoration, he began to league himself close to *Lewis XIV.* (to whom *Dunkirk* was sold (PPP) in an infamous

‘ had renounced the religion that was his obstacle. And ‘ *Sigismund*, son of *John* of Sweden, king of that country by inheritance, and of *Poland* by election, was deprived of his hereditary crown, and his children disinherited, only for being a papist, and acting conformably to the principles of that religion; though in all other respects he deserved to be a king, and was ‘ most acceptable to the nation (s).’ — Those who would see more on this debate, may read the tract from whence this is taken; the ‘ *Brief History of the Succession*,’ contained in the same volume; and ‘ *Johnson’s Julian*;’ with which, if he has leisure and inclination, he may compare ‘ *Hicks’s Jovian*.’ — It must not be omitted, ‘ that the whole bench of bishops ‘ was against the bill of exclusion (t).’ Such useful members were they of the house of lords! such patrons of the protestant church in which they presided! and so great a concern had they for the happiness of the community in which they so largely shared honor and profit! However, they, it must be owned, remembered their creator.

(s) State
Tracts, vol.
i. p. 177.

(t) Burnet,
vol. i. p.
482.

(PPP) *He sold Dunkirk to the French King.*] Charles assured the Count *d’Estrades*, ambassador of *France* (who had complimented him, in his master’s name, on his re-establishment in his dominions, and notified his desire of the Duke of *Orleans’s* marrying the Princess of *England*) — ‘ that he never desired any one’s friendship
‘ so

infamous manner); whose mischievous schemes

(u) D'Ef-
trade's Let-
ters and Ne-
gotiations,
p. 107. 8vo.
Lond. 1755.

(x) Jour-
nal, Dec. 7,
1660.

' so much as his majesty's : that he esteemed himself
' happy to know, by what he had told him, that his
' wishes were accomplished : and that if the emperor
' and all the kings of the world had asked his sister, he
' would have refused them all to have given her to mon-
' sieur, for the very reason of being more nearly attach-
' ed to his majesty's person : that he was pleased that
' his conduct was approved by him : and assured the am-
' bassador, that, for the time to come, his majesty should
' have reason to be pleased (u). ' — And good reason
indeed, after this, he had to be pleased. For *Dunkirk*,
acquired by *Cromwell* with glory, and deemed so import-
ant by the very house of commons who called home
the king, that a bill was passed by them for annexing it
to the imperial crown of this realm (x) : ' — *Dun-*
kirk, I say, was sold to his most Christian Majesty for
the sum of five millions of livres. — Some few ex-
tracts from the negotiators of this important affair may
be acceptable, perhaps, to the reader, who has curiosity
and taste for matters of this nature. Lord *Clarendon*,
in a letter to the Count *d'Estrades*, dated, *Hampton*
Court, *June* 29, 1662, writes, ' — As I have fre-
' quently reflected upon several particulars of the sundry
' conferences we have had together ; and finding a dis-
' position in the king, my master, to give all sorts of
' proof of the desire which he entertains to bind still
' more the ties of friendship betwixt him and his most
' Christian Majesty ; I have sent on this journey Mr
' *Bellings*, whom you know to be a person in whom I
' confide, to communicate to you my sentiments : ' —
' whom

schemes he adopted, and helped to carry
into

whom I desire you to give credence, &c (y).’ —

But *D’Estrades* being set out on his journey as ambassador to *Holland*, *Charles* writ him a letter, dated, *July 27*; 1662, from *Hampton Court*; in which observing that his letter might find him at *Calais*, he adds, — ‘for

which reason, as I have a great many things to communicate to you, and to resolve upon an affair which the chancellor hath proposed to me, I wish you would, to oblige me, turn a little out of your road, and take this in your way (z).’ — This affair was *Dunkirk*;

in which, as we shall presently see, *Clarendon* was most concerned. — *D’Estrades*, in a letter to the *French* King, dated, *London*, *Aug. 21*, 1662, says, ‘the Chancellor [*Hyde*] told me it was pure necessity obliged his master to part with *Dunkirk*; and that he was not afraid to let me know this from the beginning, because he treated with me as one who is a friend to the King of *England*; and the minister of a great prince his ally, of whom he had no distrust; and that in both those characters he would own to me, there were four expedients to be taken in the business now proposed.

The first, to treat with the *Spaniards*; who, at this very time, offered any terms for that town: the second, with the *Dutch*; that offered for it an immense sum: the third, was to put it into the hands of the parliament; who would be at all the expence, and leave the king full as much master of it as at present: the fourth was, to bargain with your majesty: which last appeared to him more just and more agreeable to his majesty’s interest, which was the reason he had made

(y) *D’Estrades’s Letters*, p. 223.

(z) *Id.* p. 229.

into execution. The first *Dutch* war,
weakly

‘ me the first proposal. But that after hearing what I of-
‘ fered, and which he had reported to the persons above-
‘ mentioned [the Duke of *York*, General *Monk*, Lord
‘ *Southampton*, and Lord *Sandwich*], and had met to
‘ come to some resolution; every body was surprized,
‘ and easily remembered, that when *Cromwell* had offer-
‘ ed it at 500,000 crowns, it was exclusive of theartil-
‘ lery, stores, and the new works, which were to be paid
‘ for over and above: and upon this resolved rather to
‘ put the place into the hands of the parliament; be-
‘ cause, that when it was known that it had been dis-
‘ posed of for so small a sum, the king could not but ex-
‘ pose himself to reproach; or he, the chancellor, at
‘ least, might be liable to a public censure that might
‘ endanger even his life. That it was his opinion, ra-
‘ ther to make a present of it to your majesty, and to
‘ leave the price to your own generosity; but that as
‘ this was not in his power to do, and he was so
‘ deeply concerned in conducting an affair of such de-
‘ licacy, he was obliged to conceal his opinion, and to
‘ seem to agree with that of others, so as not to appear
‘ as the chief promoter of this treaty. That the most
‘ pressing argument which he made use of to prevail
‘ with them to consent, was, the supply of money which
‘ the king might draw from thence; and that thereby
‘ he might discharge the debts he was obliged to be
‘ bound for in maintaining this place: but that my
‘ scanty offers had destroyed that motive, and shewed
‘ them that either we had no trade, no inclination to
‘ have *Dunkirk*; or that we put too small a value upon
it.

weakly begun, and with dishonor concluded;

‘it (a).’ — It may be well supposed so able a man as *D’Estrades* availed himself of such a conversation. His master had, he well knew, a great inclination to have *Dunkirk*; but he was desirous of having it as cheap as he could. A bargain at length, however, was drove. The terms were advantageous on the side of *France*; and, for the trifling sum above-mentioned, the town, fortifications, artillery, and warlike stores, were put into her possession. What follows from the ambassador’s letter to *Lewis*, dated, *London, Oct. 27, 1662*, will not, it is presumed, be deemed unacceptable by the reader.

— ‘At last,’ says he, ‘after several delays, and getting over several difficulties, I have signed the treaty of *Dunkirk*; and send it over to your majesty by this express. I ought not to omit, that the chancellor was the person, of all the others, who suffered most during the contest which was formed by all the council on this affair. The commissioners laboured most to break it off; and it may be said, that the reasons alledged were so strong, that the King of *England* and the Duke of *York* would have been staggered, had he not taken great pains to keep them to their first resolutions. This was apparent to all the court; and from thence they took occasion to blame him as the sole author of the treaty. His enemies, and all the *Spanish* faction, have attacked his conduct on that score; and cry loudly against him, that as he had very impolitickly made the match with *Portugal*, before he had secured the protection of *France*; so he had as imprudently parted with *Dunkirk*, without being assured of that strict

(a) *Id.* p.
245.

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weakly

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(a) Id. p.
245.

' friendship and union, which he boasted of would be
 ' procured with your majesty by the treaty in relation to
 ' that place. That when you once found yourself
 ' master of it, without any stipulation or particular en-
 ' gagement with *England*, you would think your civi-
 ' lity nothing but meer courtesy, which would not em-
 ' bark you in any affairs. That as his own interest had
 ' made him engage in the business of the match, to be
 ' revenged of some bad treatment from the *Spaniards*,
 ' and out of fear of being supplanted by the *Spanish* fac-
 ' tion in *England*; so out of a view to his own interest,
 ' by being supported by that of *France*, he had sacri-
 ' ficed the interest of the king his master, and had given
 ' up a place which, for the honour of *England*, and its
 ' importance to foreign nations, was more valuable than
 ' all *Ireland*. — There have been so many turnings and
 ' windings in this affair to oblige me to speak again and
 ' again so often to the King, the Duke of *York*, and the
 ' Chancellor, that it would be tedious to give your majesty
 ' an account of them; but I must still do them the just-
 ' ice to say, that their manner of treating was the most
 ' honourable I ever saw; and I do not believe there is
 ' an instance to be found in history, where, in a nego-
 ' tiation of 5 millions, or even a much smaller sum, one
 ' prince has been satisfied with the bare word of ano-
 ' ther for the payment of the money; especially being a
 ' prince but lately restored to his dominions, whose pre-
 ' rogative is but small, and the authority divided be-
 ' tween him and a parliament. This uncommon pro-
 ' cedure fully perswaded me that the King of *England*
 ' very earnestly desires to be in friendship with your ma-
 ' jesty, and knows how useful it may be to him; and
 ' that the chancellor seconds and cherishes this disposi-

tion

tion for his own particular interest; and that it is for this sole reason, principally, that the Duke of *York* goes to have an interview with your majesty at *Dunkirk*, to give you stronger assurances of this: and, I believe, he will be furnished by the chancellor with some informations, which may be of use at any such time as your majesty may form any designs in *Flanders* (b).’

(b) Id. p.
285.

— The royal brothers and *Hyde*, we see, in the opinion of *D’Estrades*, were very good *Frenchmen*; and the chancellor merited the thanks *Lewis* returned him for his favour in this negotiation (c). If this man merited too at the hands of his country, on this occasion, it must have been by meer luck: for whether settlements on the continent are eligible for *England*, or not, was no part of the consideration with him; but how he could get most money for his master, and ingratiate himself with the king of *France*, who treated him, after all, in the time of his distress, but very scurvily for his pains. It was, however, a just reward for his iniquitous behaviour in this affair. — If the reader will be pleased to turn to Lord *Clarendon*’s own account of the sale of *Dunkirk*, he will find a very striking instance of his truth and sincerity. For notwithstanding all here written by *D’Estrades*, at the very time, and on the spot, the chancellor tells the world, that ‘he was averse to it: that the King [of *France*] sent M. *D’Estrades* privately to *London* to treat about it: that the business was first referred to a committee, and then to the privy council, where it was fully debated and agreed to, Lord *St. Albans* only dissenting: and that whether the bargain was ill or well made, there could be no fault imputed to him; he having only, with some other lords, been appointed to treat for the sale, the matter

(c) Id. p.
319.

cluded; and the Triple League (QQQ),

(d) Continuation, vol. ii. p. 383---391.

‘having been deliberated and fully debated (d).’ What belief is due to such a writer! Party-men may call him great and good; but the impartial enquirer into facts will be at a loss to know how he merited these characters. — It should not be omitted, ‘that the ‘advising and effecting the sale of *Dunkirk*,’ was one article of impeachment against his lordship by the house of commons (e).

(e) Journal, 6th Nov. 1667,

(QQQ) *The first Dutch War — and — the Triple League.*] It is not my design to enter into a minute detail of the one or the other of these remarkable events, as they may be found very particularly related in most of our histories. Suffice it here to say, that the aversion his majesty had to the *Dutch*; the hatred entertained against them by the Duke of *York*; the desire of gain by the merchants; and the readiness of a pension-parliament to advance the necessary supplies; all concurred to engage in a measure which turned out greatly to the nation’s dishonor. ----- In his majesty’s ‘declaration, ‘touching his proceedings for reparation and satisfaction for several injurious affronts and spoils done by ‘the *East* and *West India Companies*, and other the subjects of the United Provinces (f),’ he says, ‘Whereas ‘upon complaint of the several injuries done unto and upon ‘the ships, goods, and persons of our subjects, to their ‘grievous damages, and amounting to vast sums; instead ‘of reparation and satisfaction which hath been by us frequently demanded, we found that orders had been given to ‘*De Ruyter* not only to abandon the consortship against ‘the pirates of the *Mediterranean* seas (to which the ‘States

(f) Fol. Lond. 1664, O. S. See also Temple’s Works, vol. i. p. 305.

so well known, and so much talked
of;

States General had invited us); but also to use all acts of depredation and hostility against our subjects in *Africa*. We thereupon gave order for the detaining of the ships belonging to the States of the United Provinces; yet, notwithstanding, we did not give any commission for letters of marque, nor were there any proceedings against the ships detained, until we had a clear and undeniable evidence that *De Ruyter* had put the said orders in execution, by seizing several of our subjects ships and goods. But now finding that our forbearance, and the other remedies we have used to bring them to a compliance with us, have proved ineffectual — we have thought fit to declare to all the world, that the said states are the aggressors, &c. These reasons were not very extraordinary. For as to the injuries done to the merchants, they were old complaints, and in a way of accommodation: and the *Dutch* themselves had reason to complain of the taking of *Cape de Verde*, and some *East India* ships by the *English*; — and, consequently, there was ground rather for arbitration than war. But the court was not to be diverted from it. It began with vigour, and was carried on with zeal on both sides. Many battles were fought with great bravery; in which the *English* for the most part, were the conquerors. The *French*, with *Denmark*, pretended to come in in aid of the vanquished. They did, however, but little. At length the *Dutch* took a severe revenge: their fleet entered the *Thames*, and burnt part of the royal navy; to the no small mortification of

of; may be thought exceptions to this
assertion:

their adversaries. This brought on a peace (which was concluded at *Breda*, in *June*, 1667); whereby the *English* were no great gainers. — Sir *William Temple*, in a letter to Lord *Arlington*, dated, *Brussels*, *July* 19, N. S. 1667, speaking ‘of the good news writ him by his lordship of the *Dutch* being beaten off at *Harwich*,’ adds, ‘for since we are in a disease, every fit we pass well over is so much of good, and gives hopes of recovery. I doubt,’ continues he, ‘this is not the last; for, I hear, *De Witt* is resolved that their fleet shall not give over action till the very ratifications of the treaty are exchanged: in which he certainly pursues his interest, that the war may end with so much the more honor abroad, and heart at home; for, commonly, the same dispositions between the parties with which one war ends, another begins. And though this may end in peace; yet, I doubt, it will be with so much unkindness between the nations, that it will be wisdom on both sides to think of another, as well as to avoid it. All discourse here is of the peace as a thing undoubted; and every packet I receive from *England* confirms me in the belief that a war abroad is not our present business, till all at home be in better order; no more than hard exercise, which strengthens healthy bodies, can be proper for those that have a fever lurking in the veins, or a consumption in the flesh; for which rest, and order, and diet are necessary, and, perhaps, some medicine too, provided it come from a careful and a skilful hand. This is all I shall say upon that subject; which, I presume, has before
‘ this

assertion; as the one made a breach between

this received some resolution by my Lord Ambassador
 ' Coventry's arrival : for, I confess, my stomach is come
 ' down ; and I should be glad to hear the peace ended,
 ' and our coasts clear, since it will not be better : but all
 ' this while, *multa gemens ignominiam plagasque superbi*
 ' *hostis* ; and, I am sure, would not desire to live, unless
 ' with hopes of seeing ourselves one day in another
 ' posture ; which God Almighty has made us capable of,
 ' whenever we please ourselves (g). — A war of this
 nature, carried on with so much spirit and resentment,
 by nations whose real interest was very different from
 that of *France*, could not but give her much pleasure.
 ' For *France* had an interest either to dispose us to so
 ' much good will, or, at least, to put us into such a
 ' condition that we might give no opposition to their
 ' designs : and *Flanders* being a perpetual object in their
 ' eye, a lasting beauty for which they have an incurable
 ' passion, and not being kind enough to consent to
 ' them, they meditated to commit a rape upon her,
 ' which they thought would not be easy to do, while
 ' *England* and *Holland* were agreed to rescue her whenever
 ' they should hear her cry out for help to them. To
 ' this end they put in practice seasonable and artificial
 ' whispers, to widen things between us and the States.
 ' *Amboyna* and the Fishery must be talked of here ; the
 ' freedom of the seas, and the preservation of trade, must
 ' be insinuated there : and there being combustible mat-
 ' ter on both sides, in a little time it took fire, which
 ' gave those that kindled it sufficient cause to smile and
 ' hug themselves, to see us both fall into the net they
 ' had

(g) Works,
 vol. i. p.
 299.

tween the two crowns, and the other gave a
check

(b) Halifax's Miscellaneous, p. 141.

‘ had laid for us. And it is observable, and of good example to us if we will take it, that their design being ‘ to set us together at cuffs to weaken us, they kept ‘ themselves lookers-on till our victories began to break ‘ the ballance: then the king of *France*, like a wise ‘ prince, was resolved to support the beaten side, and ‘ would no more let the power of the sea, than we ought ‘ the monarchy of *Europe*, to fall into one hand. In ‘ pursuance of this he took part with the *Dutch*, and in ‘ a little time made himself umpire of the peace between ‘ us (b). — Another writer of the same age observes, that ‘ after several propositions of leagues, and ‘ many arts used to raise jealousies between us and ‘ the *Hollanders* (dreading nothing more than a durable ‘ and firm friendship between two nations, who, if ‘ united, might easily set what bounds they pleased to ‘ their ambition), they at last sided with the *Dutch*, ‘ though with no other intention than to see us destroy ‘ each other; or, at least, so far weaken and exhaust ‘ ourselves, that they might with less opposition invade ‘ their neighbours and increase their naval strength: ‘ nay, their policy went further; and in the very heat of ‘ the war they still kept negotiations on foot, and made ‘ overtures and proposals of peace by means of the late ‘ queen mother; whom in the end they deceived so far, ‘ as to assure her (and by her his majesty), that the *Dutch* ‘ would set no fleet out (that summer the peace was ‘ concluded), whilst underhand they pressed the *Dutch*, ‘ with all the vigour and earnestness imaginable, to fit ‘ out their ships, with a promise of joining theirs to ‘ them.

check to the *French* conquests in *Flanders* :

‘ them. Upon this parole of the *French* court, ’tis too
 ‘ well known, we had no fleet out, as well as what fol-
 ‘ lowed upon it when the *Dutch*, meeting with no op-
 ‘ position, entered into the river of *Chatham* ; so that
 ‘ though the *French* had no other hand in it, they had
 ‘ been still the true cause of that unhappy accident : but,
 ‘ withal, it is more than probable they were themselves
 ‘ the authors of that counsel ; and most certain it is they
 ‘ knew of the design before the attempt was made (i).’

(i) State
 Tracts, vol.
 vol. i. p. 8.

——— Such were the sentiments of the most intelli-
 gent *Englishmen* on this affair. The *Dutch* — many of
 them — reasoned in the same manner. — ‘ There
 ‘ are others,’ says Sir *William Temple*, speaking of the
Hollanders, ‘ that lay the war upon the conduct of *France*,
 ‘ by which, they say, we were engaged in it : that the
 ‘ present king was resolved to pursue the old scheme laid
 ‘ by Cardinal *Richlieu*, of extending the bounds of
 ‘ *France* to the *Rhine* ; for which ends, the conquest of
 ‘ *Lorraine* and *Flanders* was to be first atchieved. That
 ‘ the purchase of *Dunkirk* from us was so violently pur-
 ‘ sued for this end, without which they could not well
 ‘ begin a war upon *Flanders*. That after this, they had
 ‘ endeavoured to engage the present ministry in *Holland*
 ‘ to renew the measures once taken, in Cardinal *Rich-*
 ‘ *lieu*’s time, for dividing *Flanders* between *France* and
 ‘ *Holland* : but not succeeding in it, they had turned
 ‘ all their intrigues to engage us in a war, which might
 ‘ make room for their invasion of *Flanders* ; whilst the
 ‘ two neighbours, most concerned in its defence, should
 ‘ be deep in a quarrel between themselves. That they
 ‘ made

ders: but it is well known, that, as the former

(k) Works,
vol. i. p.
309.

‘made both parties believe they would assist them, if
‘there were occasion; and would certainly have done
‘it. That as they took part with *Holland* upon our
‘first successes at sea, and the Bishop of *Munster’s*
‘treaty; so, if the successes had been great on the *Dutch*
‘side, they would have assisted us in order to prolong
‘the war (k).’ This is pretty true, I believe. From
D’Estrades’ negotiations at this period, in *Holland*, it ap-
pears, that the King of *France* was meditating his
seizure of *Flanders*: that the pulse of *De Witt* was felt
on that head: that, to render him and the States general
favourable to this design, great professions of friendship
were made to them: that when the differences between
them and the *English* terminated in a war, *Lewis* long ba-
lanced on which side to declare. It moreover appears,
that the said monarch was not very well affected to the
Dutch; but that, to hinder their total overthrow, and the
aggrandisement of the *English* thereby, he at length pre-
tended to give them the assistance which, by a former
treaty, they had a right to claim. Of this declaration
in their favour he, however, determined to avail him-
self. He got ships of war built for him in *Holland* at a
cheap rate: he supplied himself from thence with mili-
tary stores and ammunition: in a word, he now laid the
foundation of that naval force which we have had so
much trouble to destroy. But the *Dutch* reaped little
advantage on their side by his coming into the war: the
French kept themselves out of harms way, on various
pretence; and refused to aid their ally in the most im-
minent danger.

D’Estrades,

former was advantageous to *France*, by
weakening

D'Estrades, in a letter to the king, *Aug. 5, 1666*, says, 'The letter Monsieur *Van Beuningen* wrote this post to the Sieur *De Witt*, makes him very chagrin. It contains, that he had spoken to your majesty, in the name of the states, to demand twelve fireships, and to raise some seamen in your majesty's maritime towns to put aboard the fleet in the room of soldiers, of whom they have enough, which your majesty have received. That he afterwards demanded the two fireships that are of *Denmark*, and very near their fleet which is in sight of the *English*, and could not obtain them: that the next day he wrote to Monsieur *De Lionne*, in very pressing terms, to desire him to back his demand of the two fireships with the king; to which he received no answer: that being thus refused, he could not but be mightily concerned to find his masters exposed to maintain by their arms alone the war against the enemy, who had made so great an effort: that they might judge, by that, whether they ought to expect to be joined by your majesty's fleet, since two useless fireships, six leagues from the place where the combat was to be, were refused: that he was amazed to find their interests were so little considered in *France*, as to let occasions slip of pulling down the common enemy. — That, reflecting on these things, he thought it was for his masters interests, and that he was bound in duty to give them notice of it, that they might take their measures before they were undone (*l*). — Indeed the whole conduct of *France* (who did nothing for the *Dutch*, setting aside the troops

sent

(*l*) Letters
and Negoti-
ations, vol.
ii. p. 560.
8vo. Lond.
1711.

weakening the powers most capable of,
and

sent to their aid against the Bishop of *Munster*, for which she was fully paid) excited no sentiments in her favour in the minds of the people of *Holland*. This we may fully learn from *D'Estrades'* letter to the king, dated, *March 31*, 1667; in which, among other things, he writes as followeth: — ‘ That which gives me the
‘ most trouble is, to find the people in general so inclined
‘ to receive wrong impressions of *France* and the present
‘ government. No endeavours have been wanting to
‘ set them right in that particular; and if they were capable of judging their own interest, the reasons contained in your majesty’s letter would be sufficient to
‘ undeceive them. But they are so obstinately blind,
‘ and so foolish, as to believe your majesty’s principal
‘ design is to watch your opportunity, and conquer
‘ them as soon as you have made sure of *Flanders*. It
‘ is not *M. De Witt*, nor the men of sense among the
‘ States that believe this; but the generality of the people, and the magistrates in the particular towns, whose
‘ ordinary conversation runs upon nothing else. I am
‘ daily endeavouring to silence these false reasoners with
‘ arguments the most solid and effective; such as, the
‘ many obligations your majesty has conferred upon the
‘ states; the auxiliary troops sent into *Holland*; the
‘ peace with the Bishop of *Munster*; the rupture with
‘ *England*; the great expences your majesty had been
‘ at; and the diligence used to have a fleet at sea able to
‘ assist them powerfully this campaign. To this I
‘ added, that their apprehensions were no better than ill-grounded conceptions and real falsehoods; but that my
‘ allega-

and most interested in, opposing her ambitious views ; so the other was but of a very

‘ allegations were true in fact, and that they enjoyed
 ‘ the effects of them for these twelve months past (m).’ (m) Id. vol.
iii. p. 90.

— It was not long, however, before *De Witt* talked to the ambassador himself in the same strain. — ‘ I have
 ‘ been,’ says *D’Estrades*, in his letter to his master, dated, May 19, 1667, ‘ with M. *De Witt*. — He told me, he
 ‘ was mightily surprized to understand your majesty was
 ‘ upon the point of marching to the frontier ; and that
 ‘ at the same time that you was setting forth the queen’s
 ‘ right to the States : that your majesty had often assured
 ‘ M. *Van Beuningen*, that you would undertake nothing
 ‘ without their participation ; and yet, without so much
 ‘ as giving them time to examine the validity of your
 ‘ pretensions, you execute your designs at the same time
 ‘ that you acquaint the States with them, which is contrary to the opinion the States had that your majesty
 ‘ would act in this particular with greater confidence towards them, allowing them a reasonable time between
 ‘ the advice and execution : that he hoped your majesty
 ‘ would have explained yourself, either to the States or to
 ‘ him, what places or countries you would be contented
 ‘ with, that a stop might be put to the flame that is breaking out in all parts of Christendom : that he had offered before, and is still ready, to use his interest with
 ‘ the *Spaniards* to persuade them to an accommodation ; and he was in hopes of succeeding, if he had
 ‘ time to manage the towns, and obviate the jealousies
 ‘ they are under of your majesty’s entry into the *Low-Countries* during the treaty of peace, which convinces
 ‘ all

very short continuance. For *Lewis* being angry with the *Dutch*, determined to take
a fe-

‘all the world that your majesty is agreed underhand with
‘the *English*:’ to which he added, ‘They have long ob-
‘served your majesty’s affection to the states to be grown
‘cooler, and that every thing has been practic’d in
‘*France* that could contribute to the ruin of their trade,
‘by imposing heavy customs upon all *Dutch* manufac-
‘tures, and by trying all ways to entice their workmen
‘into *France*, from whence however several of them
‘have returned without finding the encouragement they
(n) Id. p. 156. ‘expected (n).’ — These remonstrances had no
effect. The king marched in person, in a short time
after, at the head of an army of 35,000 men, com-
manded by *Turenne*; besides two other bodies, under
the conduct of *D’Aumont* and *Crequi*. His progress was
rapid. All places fell before him: nor were the *Spani-*
ards capable of making any considerable resistance. The
neighbouring states took the alarm: nothing was heard
but execrations on the *French* King. His perfidy; his
ambition; and the danger all near him were in, from
his daring acts of violence; were become the talk of
most nations. The Triple League between *England*,
Sweden, and *Holland*, was now formed; which saved
Flanders, in some measure, for a time, by inducing the
French to agree with *Spain*, and restore part of their con-
quests, by the peace of *Aix-la-Chapelle*, May 2, 1668.
— Thus did *Charles*, with honor to himself, with satis-
faction to his people, and the applause of his allies (o),
in some measure, atone for his impolitic steps in com-
mencing and conducting the *Dutch* war; whereby the

(o) See
Temple’s
Letters, Jan.
28, 29, July
22, 1668.

a severe revenge: and, in concert with Charles, projected the conquest of the United Provinces. This brought on (RRR)
a se-

two contending nations were weakened, and France had an opportunity of meditating, and, in part, executing those mighty schemes of ambition which since have proved so fatal to herself and her neighbours. — How long his majesty continued thus to act, will be seen in the following note.

(RRR) *The second Dutch war, engaged in by Charles, went near to ruin that Republic, and the liberties of Europe.*] It appears from *D'Estrades*, that the Triple League gave great offence to the French: and that though, for the present, they said little publickly; they harboured thoughts of revenge against *Holland*; which so unexpectedly and suddenly had united with their common enemy. — ‘As for the ill proceedings of these people here,’ says he, ‘there is sufficient ground to make them doubly and certainly feel their effects when the peace is made: I know their weakness as well as any man, and on what side they are to be taken when the king pleases: but this is not the time (p).’ — *M. de Lionne*, in his letter to *D'Estrades*, dated, *March 2, 1668*, tells him, ‘that he had two hours discourse with *Van Beuningen* [the Dutch Ambassador]: that he had told him only as his private opinion, without any order from the king to say it to him, that he would have engaged his head for it, that the peace would infallibly have been concluded on the conditions of one of the two alternatives, if the league at the *Hague* had not
VOL. II. P been

(p) Id. p.
525.

a second war with *Holland*, which was
like

‘ been made ; but that this league having given the
‘ world a prospect which might make it judge that all
‘ that the king had done only from his own inclination,
‘ and to acquire the glory of moderation, which at pre-
‘ sent is the only thing which remains to be gotten, he
‘ would at present do it, as it were by force, for fear of
‘ the said league ; which appeared,’ continues he, ‘ so
‘ hard to a prince of the king’s humour, who prefers his
‘ glory to all other considerations, that I could not say
‘ any thing more of it. And, indeed, I cannot be suffi-
‘ ciently surprized, considering the prudence of those en-
‘ gaged in this negotiation, that they did not, as it were,
‘ bury in the secret articles, as well as the third of the
‘ said articles, all that might seem imperiously to prescribe
‘ a law to the king, or the conduct he is to chuse, that if
‘ he will not, that they will make him do it by force ; as
‘ is expressed in the place where it is said, that his ma-
‘ jesty shall not any longer use his arms in *Flanders*, nor
‘ even receive the places which would surrender to
‘ him (q).’ — We may well enough therefore believe
Voltaire, when he tells us, ‘ that *Lewis XIV.* was filled
‘ with indignation to behold such a little state as *Hol-*
‘ *land* forming designs to set bounds to his conquests,
‘ and be the arbiter of kings : and his indignation was
‘ increased, when he found that this little state was able
‘ to do this. Such an enterprize of the *United Provinces*
‘ was an outrage he could not bear, though he affected
‘ to disregard it : and from that time he meditated re-
‘ venge (r).’ — Agreeably hereunto Lord *Halifax*, who
‘ was well acquainted with the affairs of this reign, observes,
‘ that

[(q) Id. p.
548.

(r) Age of
Lewis XIV.
vol. i. p.
116.

like to have terminated in the destruction

‘ that the peace of *Aix-la-Chapelle* was a fore’d put ; and
‘ though *France* wisely dissembled their inward dissatisf-
‘ faction, yet from the very moment they resolved to
‘ untie the triple knot whatever it cost them. For his
‘ Christian majesty, after his conquering meals, ever
‘ rises with a stomach : and he liked the pattern so well,
‘ that it gave him a longing desire to have the whole
‘ piece. Amongst the other means for the attaining this
‘ end, the sending over the Duchefs of *Orleans* was not
‘ the least powerful. She was a very welcome guest
‘ here ; and her own charms and dexterity, joined with
‘ other advantages that might help her persuasions, gave
‘ her such an ascendant that she could hardly fail of suc-
‘ cess. One of the preliminaries of her treaty, though a
‘ trivial thing in itself, yet was considerable in the conse-
‘ quence : as very often small circumstances often are, in
‘ relation to the government of the world. About this
‘ time a general humour, in opposition to *France*, had
‘ made us throw off their fashion, and put on vests, that
‘ we might look more like a distinct people, and not be
‘ under the servility of imitation, which ever pays a
‘ greater deference to the original than is consistent with
‘ the equality all independent nations should pretend to.
‘ *France* did not like this small beginning of ill hu-
‘ mours, at least of emulation ; and wisely considering
‘ that it is a natural introduction first to make the world
‘ their apes, that they may be afterwards their slaves ; it
‘ was thought that one of the instructions madam brought
‘ along with her, was to laugh us out of these vests :
‘ which she performed so effectually, that in a moment,

tion of that republic, and the liberties
of

‘ like so many footmen who had quitted their masters
‘ livery, we all took it again, and returned to our old ser-
‘ vice. So that the very time of doing it gave a very
‘ critical advantage to *France*, since it looked like an evi-
‘ dence of our returning to their interest as well as to
‘ their fashion ; and would give such a distrust of us to
‘ our new allies, that it might facilitate the dissolution of
‘ the knot, which tied them so within their bounds that
‘ they were very impatient till they were freed from the
‘ restraint. But the lady had a more extended commis-
‘ sion than this ; and, without doubt, she double-laid
‘ the foundation of a new strict alliance, quite contrary
‘ to the other in which we had been so lately engaged.
‘ And of this there were such early appearances, that the
‘ world began to look upon us as falling into apostacy
‘ from the common interest. Notwithstanding all this,
‘ *France* did not neglect, at the same time, to give good
‘ words to the *Dutch*, and even to feed them with hopes
‘ of supporting them against us ; when, on a sudden,
‘ that never-to-be-forgotten declaration of war against
‘ them comes out, only to vindicate his own glory, and
‘ to revenge the injuries done to his brother in *England* ;
‘ by which he became our second in this duel. So hum-
‘ ble can this prince be ; when at the same he does us
‘ more honor than we deserve, he lays a greater share of
‘ the blame upon our shoulders than did naturally belong
‘ to us (s).’ — All this, for aught appears to the con-
‘ trary, is truth : but as it was written and published in
‘ the time of *Charles*, it does not contain the whole truth.
‘ We will, therefore, supply its defects from *Voltaire* ; who
speaks

(s) Miscel-
lanies, p.
142. See
also Ram-
say's Life of
Turenne,
vol. i. p. 360.
8vo. Lond.
1735.

of *Europe*. The nation, hereupon, was
alarmed.

speaks very openly of the views and designs of his hero.
— ‘The king [*Lewis*]’ says he, ‘matured his great
design of a conquest of the *Low Countries*, which he
intended to commence by that of *Holland*. — The
first thing necessary to be done, was to detach *England*
from its alliance with *Holland*. The *United Provinces*
being once deprived of this support, their destruction
appeared inevitable. *Lewis XIV.* did not find it dif-
ficult to engage *Charles II.* in his designs. The *Eng-
lish* king had not, indeed, shewn himself very sensible
of the dishonor which his reign and nation had receiv-
ed in the burning of his ships, even in the *Thames*, by
the *Dutch* fleet. He breathed neither revenge nor
conquests. His passion was rather to enjoy his plea-
sures, and reign with a power less constrained; and to
flatter this disposition, therefore, was the most effec-
tual way to seduce him. *Lewis*, who to have money
then needed only to speak, promised a great sum to
King *Charles*, who could never get any without the
sense of his parliament. The secret treaty concluded
between the two kings was imparted, in *France*, only
to *Madame*, the sister of *Charles II.* and wife of *Mon-
sieur*, the king’s brother; to *Turenne*; and to *Louvois*.
— The Princess *Henrietta* embarked at *Calais* to see
her brother, who was at *Canterbury* to receive her:
and *Charles*, being seduced by his friendship for his sis-
ter, and the money of *France*, signed every thing *Lewis*
desired; and prepared the destruction of *Holland* in the
midst of pleasures and diversions. The loss of *Ma-
dame*, who died suddenly, and in an extraordinary

alarmed. The views of the court were penetrated;

manner, soon after her return, raised some suspicions prejudicial to Monsieur; but they caused no change in the resolutions of the two kings. The spoils of the republic, which was to be destroyed, were already divided, by the secret treaty between the courts of *France* and *England*, in the same manner as *Flanders* had been divided with the *Dutch* in 1635. — It is singular, and deserves to be remarked, that among all the enemies, which were going to fall upon this little state, there was not one who had any pretence for a war. — The states general, in a great consternation, wrote to the king, humbly entreating his majesty to tell them, whether the great preparations he was making were really destined against them, his antient and faithful allies? wherein they had offended? and what reparation he expected? He replied, that he should employ his troops in such a manner as his dignity might demand, which did not require him to give an account of it to any one. All the reason given by his ministers was, that the *Dutch Gazette* had been too insolent; and because *Van Beuning* was said to have struck a medal injurious to *Lewis XIV.* — The King of *England*, on his side, reproached them with disrespect in not directing their fleet to lower their flag before an *English* ship: and they were also accused in regard to a certain picture, wherein *Cornelius De Witt*, brother of the pensionary, was painted with the attributes of a conqueror. Ships were represented, in the back-ground of the piece, either taken or burnt. *Cornelius De Witt*, who had really a great share in the maritime exploits against

England,

penetrated: and the king, sorely against
his

'*England*, had permitted this trifling memorial of his
'glory; but the picture, which was in a manner un-
'known, was deposited in a chamber wherein scarce any
'body ever entered. The *English* ministers, who pre-
'sented the complaints of their king against *Holland* in
'writing, therein mentioned certain abusive pictures.
'The States, who always translated the memorials of
'ambassadors into *French*, having rendered abusive, by
'the words *fautifs, trompeurs*; replied, that they did not
'know what these roguish pictures (*ces tableaux trom-*
'*peures*) were. In reality, it never in the least entered
'into their thoughts, that it concerned this portrait of
'one of their citizens; nor did they ever conceive this
'could be a pretence for declaring war (t). — All
this would seem very incredible, if we had not *Lewis's*
letter to the States general, and the declarations of the
two kings against them, to authenticate it. In the
first of these pieces the haughty monarch says, 'We
'shall tell you, that we shall augment our preparations
'by sea and land; and when they shall be in the posture
'we have designed them, we shall make such use of
'them as we shall conceive suitable to our dignity,
'whereof we are not obliged to give any man an ac-
'count (u). — This letter is dated from *St. Ger-*
main en laye, Jan. 6, 1672; a day remarkable in *Eng-*
land for the order made in council for shutting up the
Exchequer, under pretence of the necessity of pro-
viding for the safety of the government! The war now
was determined; and the *Dutch Smyrna-fleet* was attack-
ed, though unsuccessfully, before any declaration of war.

(t) Age of
Lewis XIV.
vol. i. p.
122---126.

(u) Fol.
Lond. 1672.

his inclinations, was obliged to make a
separate

The declaration, however, soon followed. *Charles* in it reproached the *Dutch* with the wrongs done by them to his subjects in the *East* and *West Indies*; and then proceeds to say, ‘ It is no wonder that they venture at these outrages upon our subjects in remote parts, when they dare be so bold with our royal person, and the honour of this nation, so near us as in their own country, there being scarce a town within their territories that is not filled with abusive pictures, and false historical medals and pillars, some of which have been exposed to the publick view by command of the States themselves, and in the very time when we were joined with them in united counsels for the support of the Triple League, and the peace of Christendom.’ But that the people might be amused, it was declared, that his majesty was forced to have recourse to arms, by considerations nearer to him than what only related to himself; the safety of trade; the preservation of his people abroad; and the insolence of the *Hollanders* in refusing to strike their flag to him; and the affronts offered by them in his very ports. This was published *March* 17, 1672, N. S.

— On the 6th of *April* following was emitted the most Christian King’s declaration: in which he says, ‘ The dissatisfaction he hath in the carriage of the States General towards him, for some years past, being come to that point that he cannot longer, without diminution to his own glory, dissemble the indignation raised in him, by a treatment so unsuitable to the great obligations which himself, and the kings his predecessors, had so liberally heaped upon them; he hath declared,

‘ and

separate peace with the States of *Holland*.

‘and doth declare, that he is determined to make war
‘against the said States.’ No remarks need be made
on this conduct of *Lewis*: it was suitable to his whole
life; which was one continued scene of tyranny at home,
and oppression and insolence abroad, as long as he had
it in his power. Such a prince may be flattered and
extolled by men destitute of virtue, to serve the purposes
of their own passions: but the wise, the humane, and
the benevolent, of whatever nation under heaven, will
execrate his memory, and rank him with the most odi-
ous of monsters. — As to *Charles*, who had so
wantonly, unjustly, and impolitically begun the war, he
did every thing in his power to convince the nation of
its justice and necessity. In his speech to both houses
of parliament, *Feb. 5, 1673, N. S.* he said, ‘Since you
‘were last here, I have been forced to a most important,
‘necessary, and expensive war; and I make no doubt,
‘but you will give me suitable and effectual assistance
‘to go through with it. I refer you to my declaration
‘for the causes, and, indeed, the necessity of this war;
‘and shall now only tell you, that I might have digested
‘the indignities to my own person, rather than have
‘brought it to this extremity, if the interest as well as
‘the honour of the whole kingdom had not been at
‘stake: and if I had omitted this conjuncture, perhaps,
‘I had not again ever met with the like advantage.’

— The Lord Chancellor, *Shaftesbury*, one of the ca-
bal so infamous in our histories, backed his majesty;
and, among other things, observed, ‘that both kings,
‘knowing their interests, resolved to join against them
‘[the

land. The war, however, between them
and

‘ [the *Dutch*], who were the common enemies to all monarchies ; and especially to ours, their only competitor
‘ for trade, and power at sea ; and who only stand in
‘ their way to an universal empire as great as *Rome*.
‘ This the States understood so well, and had swallowed
‘ so deep, that, under all their present distress and danger, they are so intoxicated with that vast ambition,
‘ that they slight a treaty and refuse a cessation. All
‘ this you and the whole nation saw before the last war :
‘ but it could not then be so well timed, or our alliances
‘ so well made. But you judged aright, that, at any rate,
‘ *delenda est Carthago*, that government was to be brought
‘ down. And, therefore, the king may well say to
‘ you, *’Tis your war*. He took his measures from you,
‘ and they were just and right ones ; and he expects a
‘ suitable assistance to so necessary and expensive an action : which he has hitherto maintained at his own
‘ charge, and was unwilling either to trouble you, or
‘ burden the country, until it came to an inevitable necessity. And his majesty commands me to tell you,
‘ that unless it be a certain sum, and speedily raised, it
‘ can never answer the occasion. — Let me say, the
‘ king has brought the States to that condition, that your
‘ hearty conjunction, at this time, in supplying his majesty, will make them never more formidable to kings,
‘ or dangerous to *England*. And if after this you suffer
‘ them to get up, let this be remembered, the States of
‘ *Holland* are *England’s* eternal enemy, both by interest and inclination (x).’ — What amazing impudence is here ! To tell the parliament it was their war, when, by reason of several prorogations, they had not
fat

(x) Journal of the House of Commons.

and *France* continued : and the preservation

fat for near ten months,, and, consequently, were incapable of giving their consent or approbation : I say, under these circumstances, to call it their war ; and to tell them, the king took his measures from them ; was a strain worthy *Shaftesbury* himself. — But ministers of state, as they engross the power, seem to think they engross the sense too of the community ; and that they may talk what they please without fear of their auditors. It is, however, a gross mistake : there are standers-by, much their superiors, who remark their behaviour ; and take care to expose it, properly, to posterity. — In *Dryden's* *ABSALOM AND ACHITOPHEL*, there are many portraits which bear no resemblance to the originals : but *Shaftesbury's* seems taken from life. — Compare the following lines with the above speech, and then, reader, determine :

‘ In friendship false, implacable in hate ;
 ‘ Resolved to ruin or to rule the state.
 ‘ To compass this, the triple bond he broke ;
 ‘ The pillars of the publick safety shook ;
 ‘ And fitted *Israel* for a foreign yoke :
 ‘ Then, seiz’d with fear, yet still affecting fame,
 ‘ Usurp’d a patriot’s all-attoning name.’

There is another picture of him in the *Medal*, part of which I will here add :

‘ Behold him now exalted into trust ;
 ‘ His counsels oft convenient, seldom just.

‘ E’en

tion of the former was owing to the
spirit

' E'en in the most sincere advice he gave,
 ' He had a grudging still to be a knave,
 ' The frauds he learnt, in his fanatick years,
 ' Made him uneasy in his lawful gears :
 ' At best, as little honest as he cou'd :
 ' And, like white witches, mischievously good.
 ' To his first bias, longingly, he leans ;
 ' And rather would be great by wicked means.
 ' Thus, fram'd for ill, he loos'd our triple hold ;
 ' (Advice unsafe, precipitate, and bold) ;
 ' From hence those tears ; that *Ilium* of our woe :
 ' Who helps a pow'rful friend, fore-arms a foe.
 ' What wonder if the waves prevail so far,
 ' When he cut down the banks that made the bar ?
 ' Seas follow but their nature to invade ;
 ' But he, by art, our native strength betray'd.'

To return. — As it appears, from his majesty's
 declaration, and Lord *Shaftesbury's* speech, that the *Dutch*
 were to be rendered odious, that the war might be po-
 pular ; so the court employed able pens to accuse, ex-
 pose, and exaggerate what had been done by any of that
 nation, in any time, or any part of the world. Let us
 hear *Henry Stubbe* on this subject. — ' I should in-
 ' jure Christendom,' says he, ' to reckon the *United*
 ' *Netherlands* a part thereof. Such are their practices,
 ' that 'tis a crime in them to profess that religion, and
 ' a great mistake in those that entitle them thereunto.
 ' I know not whether I do not speak too mildly con-
 ' cerning those deluded persons, since 'tis a wilful error
 ' in

spirit and bravery of the Prince of *Orange*,
aided

‘ in them that imagine so: the *Dutch* themselves have
 ‘ avowed it; and those that have managed their trade
 ‘ in *Japan*, when the Christians there (at the instiga-
 ‘ tion of the *Dutch*) were all, by horrible tortures, put
 ‘ to death, and every housekeeper enjoined to declare
 ‘ in writing that he neither was a Christian nor retained
 ‘ any Christians in his family; *Melchior à Santvoort*, and
 ‘ *Vincentius Romeyn*, subscribed themselves, that they were
 ‘ *Hollanders*: most impiously, for lucre’s sake, declin-
 ‘ ing that profession of Christianity to which Christ
 ‘ and his apostles oblige them (y).’ — ‘ We do com-
 ‘ plain,’ says he, in another place, ‘ that these *Nether-*
 ‘ *landers*, who do so highly pretend to piety and pro-
 ‘ testantcy, should violate all divine and humane rules
 ‘ of civility; that they rail instead of fighting; that they
 ‘ attack us with contumelious language; and aggravate
 ‘ their unjust enmity with an insolence that is not to be
 ‘ endured. I am as much perplexed to find out the
 ‘ rules of their politicks herein, as I am elsewhere to
 ‘ seek for those of their religion; seeing that this de-
 ‘ portment must needs exasperate all mankind against
 ‘ them, and common humanity obligeth every one to en-
 ‘ deavour their extirpation. Provocations of this kind,
 ‘ injuries of this nature, admit of no composition, and
 ‘ render the most bloody wars to be most just. The
 ‘ indignities done to our king do extend unto all princes,
 ‘ and become examples of what they universally must
 ‘ expect in time to suffer from the continuance of their
 ‘ High and Mighties. But these affronts particularly
 ‘ and most sensibly touch the subjects of the King of
 Great

(y) Justifi-
 cation of the
 War against
 the United
 Nether-
 lands, p. ii.
 4to. Lond.
 1672.

aided by the 'neighbouring powers: who
yet

(*) Id. p. 5. 'Great Britain, and turn their just anger into implacable
'fury (z).' — 'As to their religion, we could never
'be convinced that the *Hollanders* did regard any. Their
'first revolt was not founded on any such principles:
'they patiently endured the suppression of their churches
'and ministers: the country did not stir thereat; nor
'upon the execution of so many thousand protestants.
'— It is notorious, that the exaction of the tenth pen-
'ny, by the D. of *Alva*, did more exasperate them than
'the inquisition. — If we look upon them in their more
'flourishing condition; all religions are tolerated there
'as well as protestants, even such as are most repugnant
'to the Deity and gospel of Christ. Their actions are
'regulated by principles of state; and upon those grounds
'do they invite and encourage all sects to live in their
'territories. When their interest doth sway them, they
'desert or fight against protestants (a).' — It is very
amazing that all this should fall from the pen of a learn-
ed, unbigotted, if not sceptical man! But, it seems,
that there were then, as well as now, authors, by pro-
fession, who, for the sake of gain, would undertake to
vindicate any cause. ----- 'For the compiling of these
'two books,' says *Wood*, 'the author was allowed
'the use of the Paper Office at *Whitehall*; and when
'they were both finished, he had given him 200*l.* out of
'his Majesty's Exchequer; and obtained a great deal of
'credit from all people, especially from the courtiers,
'and all that belonged to the king's court (b).' — A
poor reward, however, for such infamous service!
Another writer, engaged on the same side of the ques-
tion,

(a) Further
Justification
p. 75, 4to.
Lond. 1673.

(b) *Athenæ*,
vol. ii. c.
567.

yet were in a manner forced to aggran-
dize

tion, averred, ' That his Majesty of *Great Britain*, and
' the most Christian King, of all princes in *Europe*, have
' most studied and endavoured (for the good of their sub-
' jects) to advance trade and commerce ; yet their sub-
' jects cry out, they have no trade : and well they may,
' when the *Hollanders* are the great supplanters of trade,
' and obstructors of commerce (to all others but them-
' selves) in the world. And no wonder ; for it is a
' prime principle of their state, that they must not be
' the *Joc-caul*, which provides food for the *Lyon* ; but
' they must imitate the prudent Cat, who mouses only
' for itself. Nothing can be more becoming the ma-
' jesty of two such potent kings, not only out of charity
' to deliver the distressed *Dutch* (an industrious and well-
' meaning people of themselves) from the tyranny and
' oppression of those insolent States ; but out of piety to-
' wards God, to settle peace in Christendom (which is
' only by the power of these two great kings to be ef-
' fected) ; and to which all kings and princes are obliged
' to contribute their assistance. For let it be soberly
' considered, if these men (if we may so call them), since
' the revolt from their prince, have not made greater dis-
' tempers and confusions, and caused more effusion of
' blood, and expence of treasure, in *Europe*, than the
' great *Turk* hath done for these 500 years. And as they
' are more powerful by sea, so they are much more dan-
' gerous in their practice. For the *Turk* is a prince
' who, with all potentates, doth exactly observe his
' leagues and keep his faith : but it's an apophthegm in
' their state, that it's for kings and merchants to keep
' their

dize *France*, by the cessions made at the treaty

‘ their word and faith ; but for states, no longer than
 ‘ it’s subservient to their interest. And how exactly they
 ‘ make this good in their actions, I appeal to all the
 ‘ kings and princes in *Europe*, if ever they kept one ar-
 ‘ ticle, or their faith, in any thing where it was their in-
 ‘ terest to break it. Certainly these men live, as if great
 ‘ sins would merit heaven, by an antiperistasis: and it’s
 ‘ very well becoming the gravest judgments to consider,
 ‘ if these men may not prove in a short time a greater
 ‘ terror and plague to Christendom than the *Turk* him-
 ‘ self: insomuch as his arms are at a great distance, and
 ‘ only land-forces ; but these men are seated in the cen-
 ‘ tre of *Europe*, and being so potent at sea, and rich in
 ‘ treasure, may cast an army, and, with that, blood and
 ‘ confusion into any princes dominion whom they please
 ‘ to disquiet (especially being first reduced to poverty,
 ‘ which they labour to effect in all their territories by
 ‘ obstructing trade) ; and they can more speedily and
 ‘ powerfully offend any kingdom by sea in one month,
 ‘ than the most puissant army is able to march through
 ‘ in a year (c).’ — But all this had no effect on the
 nation, who abhorred the war, and dreaded more their
 ally than their enemy. This abundantly appears from
 the writings of these times, as well as from *Grey’s* Parli-
 amentary Debates ; from the latter of which I will tran-
 scribe some paragraphs, which will enable the reader to
 form some judgment of the disposition of the nation.
 — In a grand committee, Oct. 31, 1673, when
 the subject to be debated was money for carrying on the
 war, many very bold truths were uttered, and reflexions
 made

(c) The
 Dutch U-
 surpation, by
 William de
 Britaine, p.
 32. 4to.
 Lond. 1672.

treaty of *Nimeguen*, carried on under
the

made on the authors of it, as well as the manner in which it had been conducted. — ‘The war at the first,’ said Mr. *Boscawen*, ‘was against the advice of the whole body of the merchants, only some particular men that had losses. — Thinks the peace a good peace, and the triple league much for the satisfaction of the nation. — Some trifling injuries were done to the merchants at *Surinam*; as if a man, with a flea on his forehead, would strike it off with a beetle. — Would make use of that vote, that we might have a peace.’ Sir *William Coventry* observed, ‘That it is said, that the king cannot go off with honour from his alliance with *France*: and what then shall we say of the triple alliance, that the peace of Christendom was so much concerned in, so solemn as to be sworn to by the King of *France*, and registered in the parliament of *Paris* by that kings command; but yet renounced by him, because not consistent with the good of his people. *Munster* made a war with our money; it was not for the good of his subjects, it seems, and he made peace with *Holland*. — The same did *Brandenburgh*. — The King of *France*, by the *Pyrenean* treaty, was not to assist the King of *Portugal*; it was not for the good of his people, and he broke that treaty. Princes have ever done it for the good of their people; and if we live by another rule than they do, we shall have the worst of it. Now has the King of *France* kept treaty with us, as is said? Knows not what the private articles were; but surely they were made unfortunately, that we should have no share in this conquest. — Has he kept his

the mediation of *Charles*, who greatly
favoured

‘ word with us? He was to send thirty ships for our
‘ sixty; had that conjunction been as it should be, they
‘ would have fought. — Has heard but of two captains
‘ killed in the *French* fleet, and one died of an unfortu-
‘ nate disease (the pox). — Thinks we had no advantage
‘ by their company. One unfortunate gentleman did
‘ fight (*Martel*); and because that gentleman said (as
‘ he has heard) that the *French* did not their duty, he is
‘ clapped up into the *Bastile*. His own squadron, he said,
‘ deserted him; his captains said, upon secret orders
‘ which they had. *D’Estrees* sent positive orders not to
‘ fight, unless by word of mouth, or by writing: and if
‘ that man that brought them had been knocked on the
‘ head, no orders could have been had; no regard to be
‘ had to Prince *Rupert’s* signals (which is the custom at
‘ sea). *D’Estrees* must, by a council of war, know whe-
‘ ther the prince’s orders were good or no. — Could a
‘ fleet, coming with such orders, ever be serviceable to
‘ us? Thinks it better we had no fleet. — Thinks not
‘ so highly of the *Dutch*, nor so meanly of ourselves, but
‘ that we may do well without the King of *France*. —
‘ An indifferent casuist will say, having been so used,
‘ that we are absolved from an alliance so ill maintained.
‘ — The interest of the King of *England* is to keep
‘ *France* from being too great on the continent; and the
‘ *French* interest is to keep us from being masters of the
‘ sea. --- The *French* have pursued their interest well.
‘ --- *Martel* has fought too much, or said too much,
‘ which is his misfortune. --- Moves to insert in the
‘ question,

favoured her views and pretensions. —

Not

‘question, “ Unless it shall appear that the obstinacy
“ of the *Dutch* shall make a supply necessary.” — Ac-
cordingly it was resolved, ‘ That this house, considering
‘ the present condition of the nation, will not take in-
‘ to any farther debate, or consideration, any aid or sup-
‘ ply, or charge upon the subject, before the times of pay-
‘ ment of the eighteen months assessment, &c. [granted
‘ last session] be expired : unless [it shall appear that]
‘ the obstinacy of the *Dutch* [shall] render it necessary ;
‘ nor before this kingdom be effectually secured from the
‘ dangers of popery, and popish counsels and counsel-
‘ lers ; and the [other] present grievances be re-
‘ dressed (d).’ — Such were the politics of the court.

(d) Vol. ii,
p. 211.

— I need not enter into a detail of the battles by sea and land, which were fought between the parties engaged. He must be very ignorant in our history, who knows not the amazing rapidity of the *French* conquests ; the deplorable condition of the *Dutch* in consequence of them ; the dismal apprehensions the Emperor, the Empire, and *Spain* had for their own and the common liberty ; their entering into the war in defence of the States ; the heroism of the young Prince of *Orange* in defence of his country ; and the separate peace between *England* and *Holland*, as well as the general one concluded at *Nimeguen* under *Charles's* partial mediation. Such, however, as are unacquainted with these matters, may get full information from Sir *William Temple's* works. — I will conclude this note with the sentiments of Lord *Bolingbroke* ; which, by what has been and will farther be said concerning *Charles*, will, probably, ap-

Not content herewith, he, neglecting
his

pear to be just and pertinent. 'What did he [*Charles II.*] mean? Did he mean to acquire one of the seven provinces, and divide them, as the *Dutch* had twice treated for the division of the ten, with *France*? I believe not. But this I believe, that his inclinations were favourable to the popish interest in general; and that he meant to make himself more absolute at home: that he thought it necessary, to this end, to humble the *Dutch*; to reduce their power; and, perhaps, the form of their government: to deprive his subjects of the correspondence with a neighbouring, protestant, and free state; and of all hope of succour and support from thence in their opposition to him: in a word, to abet the designs of *France* on the continent, that *France* might abet his designs on his own kingdom. This, I say, I believe; and this I should venture to affirm, if I had in my hands to produce, and was at liberty to quote, the private relations I have read formerly, drawn up by those who were no enemies to such designs, and on the authority of those who were parties to them. But whatever King *Charles II.* meant, certain it is, that his conduct established the superiority of *France* in *Europe* (e). — The following part of a letter, from a learned friend, which I received since the writing the above note, will, I suppose, be deemed curious and important by most of my readers; as it contains an authentic account of this remarkable alliance between the two crowns. — 'I, this morning,' says he, 'heard read, a letter of Mr. — to Lord —; in which he writes, That, after some difficulty, he had been permitted

(e) Letters
on the Study
and Use of
History, vol.
i. p. 284.

his own, studied how to perfect and
increase

mitted to see K. *James's* Memoirs: that they consist of
14 thin folio volumes: that they are not digested into
one continued narration, but are rather a relation of
particular parts of the history of the times. That he
had read the account of the famous private league with
France, which is told at large. That by it the King
of *France* was to allow *Charles* 200,000 a year, and
the assistance of 6000 men in case of any disturbance
at home. That the two points agreed in it were, the
establishment of the favourite religion in *England*, and
the conquest of *Holland*. That *England* was to have
Zealand, and the rest was to be divided between *France*
and the Prince of *Orange*. That *Charles* wanted to
begin with *England*, but *Lewis* chose to do his own
business first, and would begin with *Holland*; and sent
over the Duchess of *Orleans*, not to make the treaty
(for that had been done before by Lord *Arundel* of
Wardour), but to reconcile *Charles* to this alteration,
for which the duke could not forgive him. --- He says,
he is now convinced of his having mistaken *Charles's*
character. He had always thought him to have been
floating between deism and popery; but that he now
found Lord *Halifax's* character of him was the true one,
that he affected deism only to conceal his zeal for po-
pery. That, after making the treaty, *Charles* called
his confidants together; and told them, that now was
the time for introducing their religion: and was so ex-
treamly earnest on the subject, as to burst into tears
upon the occasion. — The letter is dated, *July*,
1764; but there is another come, within these few
Q 3 days,

increase the navy of *France* (sss), which
soon

‘days, with more particulars.’ — The nation, we see, had ground sufficient for fears and jealousies.

(sss) *He neglected his own, and endeavoured to perfect the navy of France.*] *Charles*, at his restoration, found a very good navy. *Lewis XIV.* in a letter to *D’Estrades*, dated, *Aug. 5, 1661*, says, ‘He [the King of *England*] has now a fleet of 160 sail, for which he is obliged to his misfortunes, by the care of the protector, whilst in authority, to increase the naval force beyond what any King of *England* ever could do (f).’

(f) *D’Estrades’s Letters and Negotiations*, p. 126.

But with all this force he truckled to *Lewis*; and, in a manner, gave up the honor of the flag to that haughty monarch when he was possessed of very little naval power. ‘Your majesty may see,’ says *D’Estrades*, ‘that the King of *England* --- would willingly avoid any trouble on this article [the flag], and would not, though he might, take any advantage of his being armed and your majesty not as yet in such readiness. And though the rout which your fleet must take, to sail from *Rochelle* to the *Mediterranean*, is quite different from that of the *English*; and cannot meet one another but somewhere beyond *Cape Finisterre*, where there can be no further dispute; and after this occasion is over, you may have time enough to put yourself in a condition to maintain your right, and to oblige the King of *England* to comply with such things as he now refuses, which he durst not have granted in the present weak condition of his authority over his people; and even the parliament, though very well affected to him, would never agree to. Indeed, they appear to be greatly moved

soon became formidable to the maritime

‘ moved on the report of this contest; and this has been
 ‘ the occasion of deputing some of their members to wait
 ‘ on the king to be informed of this, and to make of-
 ‘ fers, which the King of *England* has not accepted of, as
 ‘ still purposing that this affair should end in some friend-
 ‘ ly way. And I must also say, that, in all his conver-
 ‘ sation with me, he has always expressed a great respect
 ‘ and esteem for your majesty; and has all along seemed
 ‘ to regard more the stiffness and obstinacy of his people
 ‘ and parliament, than any advantage to himself (g).’

This letter is dated, *Feb. 1, 1662.* — Thus, through indolence, and attachment to *France*, was this prince disposed not to insist on a point yielded to *Elizabeth* by *Henry* the Great, and asserted with an high hand even under the pusillanimous *James* (b)! — What was the effect of this indolent, timid, or complaisant disposition, will appear by the following order given to Sir *Thomas Allen* by the Duke of *York*, Lord High Admiral:

— ‘ Whereas by the instructions from me, dated, *July 6th, 1669*, you were ordered to give directions
 ‘ to the commanders of his majesty’s ships, under your
 ‘ command, that, upon their meeting any men of war
 ‘ belonging to the most Christian King (whether flag-
 ‘ ship or others), within the *Mediterranean Sea*, they
 ‘ should not salute them, nor expect any salutes from
 ‘ them; as also that no disputes be for the wind, but that
 ‘ the ships of war of either side, which should happen to
 ‘ have the wind, might keep it if they pleased, without
 ‘ being required or obliged to go to leeward; which in-
 ‘ structions were given you by his majesty’s directions,

Q4

‘ upon

(g) *Id.* p.
170.

(b) See
Historical
and Critical
Account of
the Life of
James I.
Note(MMM)
8vo. Lond.
1753.

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 ‘ were given you by his majesty’s directions,

Q4

‘ upon

(g) *Id. p.*
 170.

(b) See
 Historical
 and Critical
 Account of
 the Life of
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 Note(MMM)
 8vo. Lond.
 1753.

time powers, and helped to inspire *Lewis* with

‘ upon the undertaking of the ambassador of the most
 ‘ Christian King that the *French* men of war should
 ‘ have orders and directions to use and observe the same
 ‘ manner of proceedings on their part : And whereas
 ‘ the said ambassador now acknowledges that he misun-
 ‘ derstood his majesty’s intentions therein, and declared
 ‘ he cannot procure his consent to the said agreement :
 ‘ I do thereupon, by his majesty’s directions, recall and
 ‘ wholly disannul the abovesaid instructions ; requiring
 ‘ and commanding you entirely to suppress the said in-
 ‘ structions, as if they had never been given : yet
 ‘ you are, notwithstanding, if you meet any *French*
 ‘ men of war, to keep a good correspondence with
 ‘ them according to former practice ; and out of his
 ‘ majesty’s seas to avoid, as much as may be, all occa-
 ‘ sion of contest with them. Given at *Whitehall*, this
 ‘ 25th of *July*, 1669 (i).’ — *Lewis*, we see, acted
 with the same views still which he had in 1662, when
 he bid *D’Estrades* tell King *Charles*, and his Chancel-
 lor, ‘ that he neither asked nor sought for any accom-
 ‘ modation as to the business of the flag ; because,’ says
 he, ‘ I know very well how to maintain my right, hap-
 ‘ pen what will (k).’ — But to go on to our sub-
 ject. — We may form some small judgment
 of the decay of the *English* navy from what we find
 in the King’s and the Chancellor’s [*Finch*] speeches to
 the parliament, *Ap.* 13, 1675. — In the first, he
 says, ‘ I must needs recommend to you the condition of
 ‘ the fleet, which I am not able to put into that estate
 ‘ it ought to be ; and which will require so much time

(i) *Me-
 moirs of
 English Af-
 fairs*, by
*James, Duke
 of York*, p.
 175. 8vo.
 Lond. 1729.

(k) *D’Es-
 trade’s Let-
 ters and Ne-
 gotiations*,
 p. 161.

with the impious thought of lording it
still

‘ to repair and build, that I should be sorry to see this
‘ summer (and consequently a whole year) lost, without
‘ providing for it.” — His lordship’s comment on
this was as follows: ‘ ’Tis not altogether the natural
‘ decay of shipping; no, nor the accidents of war; that
‘ have lessened our fleet, though something may be at-
‘ tributed to both these: but our fleet seems rather to
‘ be weakened, for the present, by being out-grown and
‘ out-built by our neighbours.’ — He might as well
have spoke out — and declared, that, through neg-
lect at home, and care and thought employed abroad,
we were become, even at sea, inferior to our neighbours.
But his lordship, by his flourishes, thought to disguise
and conceal the truth as much as might be. — Mr.
Pepys, secretary to the admiralty, declares, ‘ that, from
‘ the time of his removal from the navy, in *May*,
‘ 1679, the effects of the inexperience of the commissi-
‘ oners of the admiralty were the subjects of common
‘ conversation: and (what,’ adds he, ‘ was no mean ad-
‘ dition to it) the unconcernment wherewith his then
‘ majesty was said to suffer his being familiarly enter-
‘ tained on that subject; while at the same time his tran-
‘ scendent mastery in all maritime knowledge could not,
‘ upon the least reflexion, but bring into his view the
‘ serious reckoning the same must, soon or late, end in
‘ to his purse and government. As at the five years end
‘ it proved to do (1).’ — The same gentleman has
given us an account of the fleet, as it stood in *May*,
1684; by which ‘ it appears, that only four-and-twenty
‘ ships were then at sea, none of them above fourth

‘ rates,

(1) Me-
moires
touching the
Royal Navy,
p. 10. 8vo.
1690.

still more over mankind. — These are
facts

‘ rates, employing but 3070 men. The remainder of
‘ the navy in harbour so far out of repair, as to have
‘ had the charge of that alone (without sea-stores) esti-
‘ mated just before, at no less than one hundred and twenty
‘ thousand pounds. And towards this a magazine of stores,
‘ as lately reported from the same hands, not to amount
‘ to five thousand pounds. A magazine so unequal to
‘ the occasions of such a navy; that whereas peace used
‘ evermore to be improved to the making up the waste-
‘ ful effects of war; this appears (after the longest va-
‘ cation of a home marine-peace, from the restoration
‘ of the king to this day) to have brought the navy into
‘ a state more deplorable in its ships, and less relievable
‘ from its stores, than can be shewn to have happened
‘ (either in the one or the other) at the close of the most
‘ expensive war within all that time, or in forty years be-
‘ fore. Especially when, in this its general ill plight, con-
‘ sideration shall be had of that particular therein which
‘ relates to the thirty new ships: not more surprizing
‘ for the fact (after the solemnity and ampleness of the
‘ provision made for them by parliament) than import-
‘ ant for its consequences. Forasmuch as in these ships
‘ rested not only that by which the present sea-strength
‘ of *England* surmounted all it had ever before had to
‘ pretend to, and the utmost that its present woods (at
‘ least within any reasonable reach of its arsenals) seem
‘ now able to support with materials, or its navigation
‘ with men; but that portion also of the same, upon
‘ which alone may at this day be rightfully said to rest,
‘ the virtue of the whole, opposed to the no less confi-
‘ derable

facts which, considering the authorities
on

derable growths in the naval strengths of *France* and
Holland. The greatest part, nevertheless, of these
thirty ships (without having ever yet lookt out of har-
bour) were let to sink into such distress, through decays
contracted in their buttocks, quarters, bows, thick-
stuff without board, and spirkittings upon their gun-
decks within; their buttock-planks some of them start-
ed from their transoms, tree-nails burnt and rotted,
and planks thereby become ready to drop into the wa-
ter, as being (with their neighbouring timbers) in many
places perished to powder, to the rendering them una-
ble with safety to admit of being breem'd for fear of
taking fire; and their whole sides more disguised by shot-
boards nailed, and plaisters of canvass pitched thereon
(for hiding their defects and keeping them above wa-
ter) than has been usually seen upon the coming in
of a fleet after a battle; that several of them had been
newly reported, by the navy-board itself, to lye in dan-
ger of sinking at their very moorings. And this, not-
withstanding above six hundred thousand pounds (not
yet accounted for) spent in their building and furniture,
with above threescore and ten thousand pounds more
demanded for compleating them, amounting together
to 670,000*l.* and therein exceeding, not only the navy
officers own estimates and their master shipwrights de-
mands, but even the charge which some of them appear-
ed to have been actually built for, by above one hundred
and seventy thousand pounds. And notwithstanding
too the flowing in of the monies provided for them,
by parliament, faster (for the most part) than their oc-
casions

which they are founded, few will controvert;

‘casions of employing it. In a word: notwithstanding the strict provision made by parliament, the repeated injunctions of his majesty, the orders of the then lord treasurer, and ampleness of the helps purposely allowed (to the full of their own demands and undertakings), for securing a satisfactory account of the charge and built of the said ships. Lastly: while the navy (under this five years uninterrupted peace) was suffered to sink into this calamitous estate, even to the rendering some of its number wholly irreparable, and reducing others (the most considerable in quality) to a condition of being with difficulty kept above water; the navy (as his majesty was then assured by the lord treasurer) had been all that while supplied (one year with another) with four hundred thousand pounds *per annum* (m).’ This long extract will not be unacceptable, it is supposed, to most of my readers; as it is taken from a book little known, but of great authority, considering the ability of the writer in matters of this nature, and his close attachment to the house of Stuart. — Thus much for *Charles’s* neglect of his own fleet. — Let us now see the care he took of the navy of *France*. — *Burnet* has observed, that his contributing so much to the raising the greatness of *France*, chiefly at sea, was such an error, that it could not flow from want of thought or of true sense. *Ruvigny* told me, he desired that all the methods the *French* took in the increase and conduct of their naval force might be sent him. And, he said, he seemed to study them with concern and zeal. He shewed what errors

(m) Id. p.
14—22.

trovert; though so very unaccountable

on

‘ errors they committed, and how they ought to be corrected, as if he had been a vice-roy to *France*, rather than a king that ought to have watched over and prevented the progress they made, as the greatest of all the mischiefs that could happen to him or to his people. They that judged the most favourable of this, thought it was done out of revenge to the *Dutch*, that, with the assistance of so great a fleet as *France* could join to his own, he might be able to destroy them. But others put a worse construction on it; and thought, that, seeing he could not quite master or deceive his subjects by his own strength and management, he was willing to help forward the greatness of the *French* at sea, that, by their assistance, he might more certainly subdue his own people; according to what was generally believed to have fallen from Lord *Clifford*, that, if the king must be in a dependence, it was better to pay it to a great and generous king than to five hundred of his own insolent subjects (n).’ — We find by the Journals of the House of Commons, that a complaint was made, ‘ that Mr. *Pepys*, and Sir *Anthony Deane*, did cause divers maps and sea journals to be made; one of them mentioning Captain *Mundons* voyage to *St. Helena*; some draughts of his majesty’s best-built ships, and some models of ships; and fourteen sheets of paper, closely written, containing an account in what manner the navy and admiralty were governed in *England*; as also of the number of the kings ships, their several ages, and their condition; as also divers other treasonable matters: making, first, a full

‘ disco-

(n) Vol. i.
p. 614.

on the principles of common sense, or
common

(o) Jour-
nal, 22 May,
1679.

‘discovery of the state and condition of his majesty’s
‘navy; how and by what means many of the *English*
‘seamen may be drawn into the *French* service; the weak-
‘ness of those places where his majesty’s said ship... usu-
‘ally lie; the great want of stores; and a description of
‘our principal rivers; and of our several forts, garrisons,
‘and of the Isle of *Wight*: all which said maps, jour-
‘nals, models, and descriptions aforesaid, the said Sir
‘*Anthony Deane* is accused to have carried over into
‘*France* with him, in the year 1675; and to have de-
‘livered to the Marquis of *Signelays*, then secretary of
‘the admiralty in *France* (o).’ — Mr. *Pepys*, and Sir
‘*Anthony Deane*, endeavoured to defend themselves in the
house: the former by flat denials; the other by an im-
perfect and, perhaps, partial confession. What he said
was, ‘that he was a builder of ships at *Portsmouth*:
‘that the king sent for him to go to the King of *France*
‘with two boats for the canal at *Versailles*, the depth of
‘his flick, about three foot and a half. The question
‘was,’ said he, ‘whether they should be at the king’s
‘charge or the *French* Ambassador’s. Says the *French*
‘Ambassador, We will pay for it. I built them in obe-
‘dience to the king’s command, little thinking I should
‘be questioned here for it. The boats were carried nine
‘miles by land to *Versailles*. At the King of *France*’s
‘desire I went over to see them carried to the canal.
‘The king went into the vessel, and sailed with me.
‘When I had done all, &c. the King of *France* pre-
‘sented me with 600 pistoles for my charges, and his
‘picture set with diamonds worth 200*l.* and he gave
‘my

common policy! — We shall find little difficulty

‘ my son a medal of 100 *l.* the captain of the convoy a
 ‘ chain of 100 *l.* and the men that took the pains were
 ‘ rewarded accordingly. I was used well, and kindly;
 ‘ but could not speak one word of *French*. I was not
 ‘ presented to the King of *France*, but my son who
 ‘ spoke *French*. Such was my caution. I endeavoured
 ‘ to improve my time, whilst I stayed, by information
 ‘ of their whole methods of government of their navy,
 ‘ which I presented to Secretary *Williamson*, the Duke,
 ‘ Lord *Anglesea*, Secretary *Coventry*, and my Lord
 ‘ Treasurer, to shew them they had no need of learning
 ‘ from *England*, they had got into so excellent a method.
 ‘ — In the presence of God I speak it, I never sent any
 ‘ plan of forts or soundings, &c. All things in *France*
 ‘ are in such order, that, for my part, I was afraid to
 ‘ see it (*p*).’ — This confession, I suppose, rather con-
 ‘ firmed than disproved the charge in the eyes of the
 ‘ house: for we find *Deane* and *Pepys* were sent to the
 ‘ Tower, and the attorney general ordered to prosecute
 ‘ them. — I will close this note with a passage from
 ‘ Dr. *Welwood*, as I find it quoted in another writer, hav-
 ‘ ing not the book at hand from whence it is taken.
 ‘ Within this few weeks,’ says he, ‘ there has something
 ‘ to this subject accidentally come to my knowledge,
 ‘ which, perhaps, a great part of the world has not been
 ‘ yet acquainted with. Nobody doubts but that King
 ‘ *Charles II.* understood sea-affairs, and the art of build-
 ‘ ing ships, as well as almost any of his subjects: and I
 ‘ have seen under his own hand several extraordinary
 ‘ discoveries and experiments, in that matter, which
 ‘ speaks him to have been a prince of great abilities. As
 ‘ in

(*p*) Grey's
 Parliamentary
 Debates;
 vol. vii. p.
 308.

difficulty however to admit them, when
we

‘ in all other things that might aggrandise *France* and
 ‘ level *England*: so in this art of building ships, King
 ‘ *Charles* was willing to assist his intimate ally, *Lewis*
 ‘ XIV. to the utmost of his power. In order thereto,
 ‘ he not only faithfully communicated to the *French*
 ‘ King, from time to time, all his own observations and
 ‘ experiments; but likewise those of the most skilful
 ‘ persons about him in the art. Nay, such was that
 ‘ king’s zeal for *France*, and his care to acquaint the
 ‘ *French* King with sea-affairs, that I have lately seen
 ‘ the doubles of several letters from King *Charles* to the
 ‘ *French* King, about implements and new discoveries in
 ‘ building ships of war; and at the foot of some of the
 ‘ doubles of considerable length, written by King *Charles*
 ‘ himself, to this purpose: The original with my own
 ‘ hand; sent him such a day. Strange! that a prince,
 ‘ so much in love with ease, and who writes so ill a
 ‘ hand, could be brought to write near a sheet of paper
 ‘ at a time, meerly to teach an inveterate enemy of the
 ‘ *English* nation a way to contend with him the domi-
 ‘ nion of the seas, the brightest jewel of his crown.
 ‘ But this is not all: King *Charles*’s love to the people
 ‘ of *England* went farther yet; for there is to be seen
 ‘ the double of a letter from him, to the *French* King,
 ‘ full of instructions about this same subject, dated at a
 ‘ time when he pretended to concur with other princes
 ‘ in obliging that king to make a peace (q).’ —
 The *English* nation had abundant reason to bless and
 praise Almighty God for restoring to them a prince of
 so benevolent a disposition!

(q) Old-
 mixon’s His-
 tory of Eng-
 land, vol. i.
 p. 545. fol.
 Lond. 1730.

we consider the abandoned character of *Charles*, and add, 'he was a pensioner (TTT) to

(TTT) *He was a pensioner to France.*] *Wiquefort* has a whole chapter to prove, that it is lawful for an ambassador to corrupt the ministers of the court where he resides (r). But how lawful soever this may be in ambassadors; it is much more lawful and necessary for the princes, at whose courts they reside, to watch them narrowly, lest they make themselves masters of secrets most dangerous to be revealed. For they being spies by office, privileged by character, and, for the most part, well supplied with money; have great opportunities of corrupting indigent, avaritious, or weak men, who abound in all courts, and are entrusted with the most important affairs. — Wise princes are sensible of this: — weak ones unconcerned about it. — 'It is said,' says the above-cited author, 'that one day an *English* gentleman signified to King *James*, that he had a matter of very great importance to impart to him; but that his majesty must assure him of his protection in a particular manner, because, without that, his life would be in great danger. After he had taken his necessary precautions, he told him, That several noblemen of his court and council received pensions from *Spain*; and that he could make it out. The king answered him, That he knew it very well; and made a jest of it. He moreover said, He wished the King of *Spain* would give them ten times as much; because this unprofitable expence would render him less able to make war against him. The *French*, who

(r) *Emba-*
sador, p.
353. fol.
Lond, 1716.

to the crown of *France* ;' So lost was he
to

' take pleasure in publishing the good they do, as well
' as the favours they receive, have endeavoured to make
' it believed, that the ministers of the court of *England*
' were not very difficult on that subject not long since.
' Queen *Elizabeth* would not have suffered it. *Henry IV.*
' had given the order of *St. Michael* to *Nicholas Clif-*
' *ford*, and to *Anthony Shirley*, on account of the services
' they had done him in the war. These two gentle-
' men, being returned into *England*, the queen sent them
' to prison, and commanded them to send back the or-
' der, and to cause their names to be raz'd out of the re-
' gisters. She said, that, as a virtuous woman ought to
' look on none but her husband, so a subject ought not
' to cast his eyes on any other sovereign, than him God
' had set over him. I will not,' said she, ' have my
' sheep marked with a strange brand ; nor suffer them
' to follow the pipe of a strange shepherd.' Queen
' *Christina* would not permit the Prince *Palatin* to re-
' ceive the order of the Garter ; nor the Count *de la*
' *Garde* to be made a Prince of the Empire. These
' two queens were in the right to hinder their subjects
' from entering into engagements with foreign princes.
' They cannot share out their affection, nor their zeal,
' without robbing their sovereign of all that portion
' they so bestow ; who ought to be as jealous thereof,
' as the husband is of his wife's honor (s).' — What
would this writer have said of a prince, who bargained
for a pension, and authorized his minister to negotiate
it for him in the best manner ? If ministers are blame-
worthy in sharing out their affection and their zeal ;
how

(s) Id. p.
354.

to all shame! — If we turn now to
affairs

how much more culpable the sovereign, who sacrifices his people to a bribe, and fills his privy purse at the expence of their welfare? And how jealous, with reason; ought a nation to be, when under a head capable of such a dirty, infamous traffick?

We have already seen *Charles* leagued with *France*, in order to subdue *Holland* and introduce popery into his own kingdoms: we have seen that, to facilitate these infamous projects, he received 200,000*l.* *per annum* from *France*; whereby *England* was hurt, and *Europe* likely to be enslaved (1): it now remains, in order to have a full view of this part of his character, to see what was his conduct when he had been forced to make peace with the *Dutch*, and the congress was held for putting an end to the war, at *Nimeguen*, under his mediation. To such as have not the *Danby* papers in their possession, the following extracts will afford entertainment, as well as information, on the subject-matter of this note. —

Mr. *Mountague*, ambassador to the *French* King, in a letter to his own master, dated, *Paris*, *June 21*, 1677, N. S. says, 'That your majesty may understand me the better, you must call to mind how, when you made a separate peace with *Holland*, Mr. *Ruvigny* (at that time the King of *France* his minister in *England*) was so importé [outrageous] and passionate upon it, that you were extreemly dissatisfied with him and his proceedings; and at an entertainment made you by my Lord *Lindsey*, at *Chelfey*, you were pleased to call me to you, and command me, because of my friendship and acquaintance with him, to advise him to change his

R 2

' language

(1) See note
(RRR).

affairs at home; we shall find them most
miserably

‘ language and behaviour: that you could not believe his
‘ master would countenance him in it; and that you
‘ thought you gave great marks of your friendship in
‘ proceeding no farther, and not taking up the triple al-
‘ liance again: that, whilst you had been joined with
‘ his master, the crown of *France* had extreamly advanc-
‘ ed his own interest, and none of your majesty’s as he
‘ was obliged to by his treaty. When I delivered to
‘ him your majesty’s message, I found him extreamly sur-
‘ prized and frightened; which I improved as much as I
‘ could. All that he had to say to me was, after such
‘ great sums that his master had paid in *England*, it was
‘ hard to be left so. I told him that, as for the sums of
‘ money, they were not so great as to regret the payment
‘ of them: that, to my knowledge, the crown of *France*
‘ paid to the crown of *Sweden* two millions and a half for
‘ being neuters (for so the *Swedes* were then); and that
‘ your majesty, who was so great and so powerful a king,
‘ had but three millions of livres for so vast a fleet as you
‘ put to sea, and for some ten thousand of your majesty’s
‘ subjects that you let pass over into *French* service. That
‘ these kind of discourses and reproaches would but ex-
‘ asperate your majesty: that I did not know how far that
‘ might carry you: that his best way was to be discreet,
‘ and say nothing. I remember his expression: *E bien*
‘ *je pargnerai mes paroles, & le roy mon maitre son ar-*
‘ *gent* [Well then, I shall save my breath, and the king
‘ my master his money]. With this I left him, and gave
‘ your majesty an account, without troubling you with
‘ the particulars I do now, that I had obeyed your com-
‘ mands

miserably administered. — The doctrines
of

mands to Mr. *Ruvigny*. You ordered me also to give my Lord *Arlington* an account (who was yet secretary of state) of what had passed between us ; which I also did : and told him, that although Mr. *Ruvigny* talked very high, yet I observed, with what I had said to him of the triple alliance being taken up again, he was extremely frightened ; and so much, that I was sure, if he were well managed, the three millions you had during the war might be continued to you. He answered me, that I was out of play, and no longer ambassador ; and that you would not take it well, he was sure, my meddling any more in business : upon which admonition I let that sort of discourse fall. Some few days after, Mr. *Ruvigny* came to see me ; telling me, that in return of my kindness for having advised him so well, he was come to be advised by me : that he found all your ministers turning against *France*, and my lord treasurer particularly, absolutely in the Prince of *Orange's* interest : that he was afraid you would be brought to join with the Confederates, and abandon *France*. For himself, he was at his wits end ; and knew not what measures to take, except I would advise him. Whereupon I told him, that my lord treasurer was the man you most trusted ; and, in my opinion (if your majesty would accept of it), the best way was to offer the continuance of the three millions during the war : *Car dans ce monde on ne fait rien pour rien* [For in this world nobody does any thing for nothing]. After this, I heard nothing from Mr. *Ruvigny* of three months, till at last he came and told me, *Vous m'avez donné un bon*
R 3 *conseil,*

of liberty, so precious in the eyes of the
wife

‘ *conseil, & le roi mon maistre vous en est obligé* [The ad-
‘ vice you give is very good, and what the king my
‘ master is obliged to you for]. Since my coming into
‘ *France* this last time, I have conversed much with Mr.
‘ *Ruvigny*, who, partly with age, and partly with dis-
‘ content at his ill usage at court, is the most broke
‘ that can be, and as you will easily believe by what I
‘ am going to tell you : for finding him always com-
‘ plaining of his ill usage after the great and good ser-
‘ vices he had done, I flattered his discontent as much as
‘ I could, to get out of him his greatest services I found
‘ he so much talked of : and at last he confessed to me,
‘ that when I advised him to offer your majesty the con-
‘ tinuance of the three millions, that he proposed it at
‘ his court : that they consented to it, only with a re-
‘ commendation to *menager la bourse du roy* [to be as
‘ good an husband of the king’s money as he could]:
‘ that he had done it so well, as to bring your majesty
‘ to be contented with an hundred thousand pounds :
‘ that if he would, the king of *France* would as easily
‘ have paid you three ; and notwithstanding his great
‘ service, they now refused to make his son a brigadier,
‘ or to give him the reversion of his place of *agent pour*
‘ *les Huguenots*, worth a thousand pistoles a year. I have
‘ seen all the letters writ to him from *France* about this
‘ affair ; and your majesty may believe me, if Mr. *Ru-*
‘ *vigny* had not managed in hopes to make his own for-
‘ tune by such a service, you had had three hundred
‘ thousand pistoles a year ; whereas now you have but
‘ one. I trouble you, Sir, with all these particulars,
‘ that

wife and virtuous of all ages, which had
been

‘ that you may the better know your own power and
‘ greatness ; and, consequently, set a greater value up-
‘ on it, if you think fit. I am sure the greatness of the
‘ King of *France* is supported only by your majesty’s
‘ connivance at what he does, and the good will Christ-
‘ endom sees you have for him. The advantage he has
‘ by it, even in point of revenue by his conquests, does
‘ amount to five times the sum you have now from him ;
‘ and though after-games are hard to play, I think, I
‘ understand this court so well, and, if you care to have
‘ it done, I am confident I could get you, by agree-
‘ ment, a million of livres a year to be paid whilst the
‘ war shall last, and four millions after the peace shall
‘ be made : I mean, Sir, over and above what you have
‘ from *France* now. And if you approve of my proposi-
‘ tion, be pleased to write me five or six lines with your
‘ commands and directions, and I doubt not but to give
‘ you a good account of it (u).’ — Lord *Danby*, in a
letter to *Mountague*, dated, *London*, *July 15*, following,
tells him, ‘ his majesty had commanded him to write an
‘ answer to that part of his letter which concerns the
‘ money. That he shall take it for a good service to
‘ get an addition of a million to be well paid during the
‘ war, and four millions well secured to be paid within
‘ six months after the peace shall be made ; but unless
‘ he can be then certain of the four millions, the addi-
‘ tion of one million during the war will not be enough ;
‘ it being impossible, with less than the value of two
‘ hundred thousand pounds sterling a year, whilst the
‘ war lasts, to support his affairs, in which he suffers so
‘ much

(u) *Danby*
Papers, p.
1--6. 8vo.
London, 1710.

been strongly inculcated, and greedily
embraced,

‘ much for their sakes ; as I confess, in my own opinion, no
‘ money can recompense. His majesty knows not how to
‘ send you any particular instructions as to the manage-
‘ ment of this matter ; but trusts entirely to your judg-
‘ ment, since you tell him that you have prepared every
‘ thing for the execution of his commands in it : but
‘ he has commanded me to give you this caution, that
‘ unless you see your way clearly through this affair,
‘ he would have you communicate to him the steps by
‘ which you design to arrive at it, before you put it in ex-
(x) Id. p. 7. ‘ ecution (x).’ In a letter of *Mountague’s*, written from
Paris, on the 12th of *August*, to the treasurer, it is said,
‘ Mr. *Pomponne* tells me, this morning, that Mr. *Courtin*
‘ has agreed this matter with the king, my master, and
‘ in your lordships presence ; and that his majesty will be
‘ contented with two millions of livres a year only
‘ during the war ; which, I confess, surprized me ex-
‘ tremely, considering the necessity of his majesty’s con-
‘ dition, and the positiveness of his commands to me to
‘ insist upon two hundred thousand pounds sterling,
‘ which I had done very effectually, and must have suc-
‘ ceeded in, considering the reasonableness of the de-
‘ mand, except the generosity of the king our master’s
‘ nature, who values money so little, has already con-
(x) Id. p. 13, ‘ descended to the lesser sum of two millions (y).’ —
Danby was astonished at this account ; and attributed it
to the effrontery of the *French* ministers, who scrupled
not lying when it might serve their purpose. At length,
however, he found it but too true ; as he tells *Mounta-*
gue in *September*. Hear his words. — ‘ At the king’s
‘ arrival

embraced, from the beginning of the civil wars to the restoration of monarchy.

These

‘ arrival from *Plymouth*, I found he had consented (and
 ‘ in the presence of the duke) to two millions, to be
 ‘ compleated for one year, ending at *Christmas* next ;
 ‘ but confessed he had not considered the difference be-
 ‘ twixt that and two hundred thousand pounds ; and said,
 ‘ that two hundred thousand pounds was the sum that
 ‘ would be at least necessary for his service, and which
 ‘ he had directed that you should insist upon : and I
 ‘ found he was troubled that he had consented to the
 ‘ two millions, and immediately sent for the duke,
 ‘ whom he commanded to speak with Mr. *Courtin* about
 ‘ it, and tell him how necessary it would be to have two
 ‘ hundred thousand pounds, by reason of the danger of
 ‘ the *Spaniard* falling out with him. But his highness
 ‘ not being able to prevail upon Mr. *Courtin*, nor his
 ‘ majesty being willing to speak any more upon that sub-
 ‘ ject to him, the result of his majesty’s pleasure hath
 ‘ been, that he will speak no more of this matter him-
 ‘ self to Mr. *Courtin*, but does command that you do
 ‘ still insist upon the sum to be two hundred thousand
 ‘ pounds : but you are to say, that you perceive the
 ‘ king did once think to have made a shift with two mil-
 ‘ lions, but that now he finds so great cause to appre-
 ‘ hend a breach with *Spain*, or at least so much appear-
 ‘ ance of it, as will necessitate him to be at more charge
 ‘ than he intended on the Western islands ; so that he
 ‘ must needs desire that sum (z).’ — I will only add (z) Id. p. 24.
 part of a letter from the Treasurer to *Mountague*, dated,
London,

These doctrines, so essential to the happiness of mankind, were, as in a moment,

London, March 25, 1678, O. S. — ‘In case,’ says he, ‘the conditions of peace shall be accepted, the king expects to have six millions of livres a year, for three years, from the time that this agreement shall be signed betwixt his majesty and the king of *France*, because it will probably be two or three years before the parliament will be in humour to give him any supplies after the making of any peace with *France*; and the ambassador here has always agreed to that sum, but not for so long time. If you find the peace will not be accepted, you are not to mention the money at all: and all possible care must be taken to have this whole negotiation as private as is possible, for fear of giving offence at home; where, for the most part, we hear in ten days after of any thing that is communicated to the *French* ministers.’

(a) *Id.* p. 75. At the bottom of this letter are these remarkable words: — ‘This letter is writ by my order. *C. R. (a).*’ — Lord *Danby* hereupon was impeached, ‘for endeavouring to procure a great sum of money, from the *French* King, for enabling him to maintain and carry on his traiterous designs and purposes, to the hazard of his majesty’s person and government.’ Nobody, I think, can vindicate *Danby*, or *Mountague*, for the share they had in such an illicit commerce: but if common sense was to determine (the maxim that the king can do no wrong being set aside), his majesty himself would not have escaped with impunity. For it is well known, that the voice of the nation was for a war with *France*; and that money had been provided, by parliament, for carrying it on effectually (b). The

(b) *Danby’s*
Memoirs, p.
26., 8vo.
London, 1710.

ment, buried in obscurity (UUU); and
the

(UUU) *The doctrines of liberty were buried in obscurity, and the contrary ones established.*] From the commencement of the civil wars, men began to open their eyes, and see their natural equality; their right to freedom; their independency on the will either of the magistrate or the priest. *Milton's* writings greatly contributed to these glorious ends: and we may easily conceive how much such men as *Sydney, Harrington, and Neville* added thereunto. Under the commonwealth government, these doctrines found great encouragement; and the assertors of liberty were the favourites of the men in power. From this time, till the return of his majesty, religion and government were the common topics of conversation and writing: and the press frequently produced schemes for reforming the one, and new modelling the other. The royalists, who hated law, as laying restraint on sovereignty; and who, for the most part, cared little for religion stript of pomp, wealth, and power: the royalists, with indignation, saw all this; attempted to ridicule and expose it; and, in their hearts, detested the men who promoted principles so opposite to their own views of things. Nor did they rest here: — As the resistance of *Charles*, his imprisonment, condemnation, and death, were supposed to have flowed from the doctrine of the legality of resistance of power, delegated or supream, when used to the prejudice of the people; it was determined to extirpate it, and erect the contrary on its ruins. The steps by which this was done, *Mr. Locke* will shew us in the following paragraphs: —

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I

‘ The

the contrary ones established and confirmed.

‘The first step,’ says he, ‘was made in the act for regulating corporations* : wisely beginning that in those lesser governments, which they meant afterwards to introduce upon the government of the nation; and making them swear to a declaration and belief of such propositions, as they themselves afterwards, upon debate, were enforced to alter, and could not justify in those words : so that many of the wealthiest and soberest men are still kept out of the magistracy of those places. The next step was in the act of militia, which went for most of the chiefest nobility and gentry being obliged, as lord-lieutenants, deputy-lieutenants, &c. to swear to the same declaration and belief, with the addition only of these words, *in pursuance of such military commissions*; which makes the matter rather worse than better. Yet this went down smoothly, as an oath in fashion, a testimony of loyalty; and none adventuring freely to debate the matter, the humour of the age, like a strong tide, carries wise and good men down before it. — Immediately after this, followeth the act of Uniformity; by which all the clergy of *England* are obliged to subscribe and declare what the corporations, nobility, and gentry had before sworn; but with this additional clause of the militia act omitted.

* By the Statute 13 Car. II. c. i. here referred to, all persons who shall be mayors, aldermen, &c. besides the oaths of allegiance and supremacy, were obliged to take this oath following :—‘I, A.B. do declare, and believe, that it is not lawful, upon any pretence whatsoever, to take arms against the king: and that I do abhor that traiterous position of taking arms by his authority against his person, or against those that are commissioned by him. So help me God.’

‘This

firmed. Now it was that resistance of
the

‘ This the clergy readily complied with ; for, you know,
‘ that sort of men are taught rather to obey than under-
‘ stand ; and to use that learning they have, to justify,
‘ not to examine, what their superiors command. —
‘ But this matter was not compleat until the *five-mile*
‘ *act* passed at *Oxford*, wherein they take an opportunity
‘ to introduce the oath in the terms they would have it.
‘ This was then strongly opposed by the Lord Treasurer
‘ *Southampton*, Lord *Wharton*, Lord *Ashley*, and others,
‘ not only in the concern of those poor ministers that
‘ were so severely handled, but as it was in itself a most
‘ unlawful and unjustifiable oath. However, the zeal
‘ of that time against all non-conformists easily passed
‘ the act. This act was seconded the same session, at
‘ *Oxford*, by another bill in the house of commons, to
‘ have imposed that oath on the whole nation. And
‘ the providence by which it was thrown out was very
‘ remarkable : for Mr. *Peregrine Bertie* being new-
‘ ly chosen, was that morning introduced into the
‘ house by his brother, the now Earl of *Lindsey*, and Sir
‘ *Thomas Osborn*, now Lord Treasurer, who all three
‘ gave their votes against that bill ; and the members
‘ were so even upon the division, that their three votes
‘ carried the question against it.’ — In 1675, a bill
was brought into the house of lords, and strongly sup-
ported by the bishops and courtiers, which required all
officers of the church and state, and all members of both
houses of parliament, not only to take the same oath,
but likewise to swear, that ‘ they would not, at any
‘ time, endeavour the alteration of the government ei-
‘ ther

the sovereign, or those commissioned by him,

‘ther in church or state.’ This was strongly opposed by the most considerable peers: protested against by them in the warmest manner; but carried, with some little alteration, by a majority of voices. Luckily, however, for the nation, a dispute arose, between the two houses, about privileges; which put an end to the session before the commons had assented to this infamous bill, intended to shackle two-thirds of the legislature.

—— The Chancellor *Finch*, and the Treasurer *Danby*, had the honor of projecting and defending this ever-memorable Test (c). —— How different was *Danby* from Sir *Thomas Osborn*? —— But though the Test miscarried, the doctrine of slavery prevailed; and resistance, at all times, and in all cases, was almost universally condemned. The clergy zealously preached up the divine right of kings; and denounced damnation against such as should dare to oppose their most arbitrary, their most wicked designs. I will not make extracts from the common herd of ecclesiastical writers. *Tillotson’s* letter to Lord *Ruffel*, when under condemnation for treason, as it was styled, will fully show how much the slavish principle had taken possession of wise and good men under this reign. I will transcribe it at large. It is as follows:

(c) Letter to a Friend in the Country, passim; and Burnet, vol. i. p. 383.

‘ My LORD,

‘ I was heartily glad to see your lordship, this morning, in that calm and devout temper at receiving the sacrament. But peace of mind, unless it be well grounded, will avail little. And because transient discourse many times hath little effect, for want of time

‘ to

him, was condemned by acts of parliament;

‘ to weigh and consider it ; therefore, in tender compassion of your lordships case, and from all the good will that one man can bear to another, I do humbly offer to your lordships deliberate thoughts these following considerations concerning the point of resistance, if our religion and rights should be invaded, as your lordship puts the case; concerning which I understand, by Dr. *Burnet*, that your lordship had once received satisfaction, and am sorry to find a change. First; That the Christian religion doth plainly forbid the resistance of authority. Secondly; That though our religion be established by law (which your lordship argues as a difference between our case and that of the Primitive Christians); yet, in the same law which establishes our religion, it is declared, that it is not lawful, upon any pretence whatsoever, to take up arms, &c. Besides that, there is a particular law, declaring the power of the militia to be solely in the king. And this ties the hands of subjects, though the law of nature and the general rules of scripture had left us at liberty: which, I believe, they do not; because the government and peace of human society could not well subsist upon these terms. Thirdly; Your lordships opinion is contrary to the declared doctrine of all protestant churches. And though some particular persons have thought otherwise; yet they have been contradicted herein, and condemned for it, by the generality of protestants. My end in this is, to convince your lordship, that you are in a very great and dangerous mistake: and being so convinced, that, which

‘ was

ment; and censured from the press,
and

‘ was before a sin of ignorance, will appear of a much
‘ more heinous nature, as in truth it is, and call for a
‘ very particular and deep repentance; which, if your
‘ lordship sincerely exercise upon the sight of your er-
‘ ror, by a penitent acknowledgment of it to God and
‘ men; you will not only obtain forgiveness of God,
‘ but prevent a mighty scandal to the reformed religion.
‘ I am very loth to give your lordship any disquiet in
‘ the distress you are in, which I commiserate from my
‘ heart; but am much more concerned, that you do not
‘ leave the world in a delusion and false peace, to the
‘ hindrance of your eternal happiness. I heartily pray
‘ for you; and beseech your lordship to believe, that I
‘ am, with the greatest sincerity and compassion in the
‘ world,

‘ Your Lordships, &c.

‘ JOHN TILLOTSON (d).’

(d) Birch’s
Life of Til-
lotson, p.
109.

This letter, though it contained nothing but the doc-
trines of the times, was very smartly remarked on by Mr.
Samuel Johnson; a man who deserved a bishopric as well,
at least, as any who ever obtained one. — ‘ I ever
‘ took it for granted,’ says he, ‘ that government ceases,
‘ and is lost, when all the ends of government are de-
‘ stroyed; as they plainly are where the religion and
‘ rights of a kingdom are invaded, for the more surety
‘ and security of which rights men at the first entered
‘ into society. I speak the language of *Fortescue*. Who
‘ then, in this case, is the friend to government, and
‘ would

and from the pulpit, by the clergy who
had

‘ would have it live ; he that invades, or he that stops
‘ such destructive invasion ? Again : Who is it that
‘ breaks the peace of human society ; he that invades
‘ all that mankind have, or they that are only willing to
‘ defend their own ? I, in my simplicity, thought that
‘ the breach of the peace had been with the trespasser.
‘ And I thought, likewise, that, by the law of *England*,
‘ I might justify the beating of any man that would take
‘ away my goods ; and that, in so doing I should not
‘ break the peace : neither would the law impute it to
‘ me, but to the invader. These were my former
‘ thoughts : but we must now learn a new lesson.
‘ For, it seems, the way to preserve government, is to
‘ see it destroyed, and to let tyranny alone, and to suf-
‘ fer invasion to go on ; for, otherwise, though the peace
‘ be already broken to-pieces, you disturb the peace.
‘ But if it were not lawful to advance paradoxes and
‘ contradictions to common sense ; how could men shew
‘ their learning, or wherein would they differ from other
‘ men ? As for this maxim (the incompatibility of re-
‘ sistance with the government and peace of human so-
‘ ciety), it is exactly calculated for the use of a perverted
‘ government ; or of an insolent hedge-constable, that
‘ beats a quiet and orderly person for the conservation
‘ of the peace, and knocks him down to bid him stand.
‘ But, to come closer to the point, is not the invasion of
‘ the religion and rights of a people, the highest tyran-
‘ ny that can be conceived ? And how then came the
‘ *English* divinity to be such a pimp to tyranny, and to
‘ be so deeply concerned for the subsistence and conti-

had hopes of preferment. And lest any
chance

(e) Works,
p. 306.

‘nuance of it without molestation, as to damn all men
‘who would not undergo a severe repentance for being
‘of another opinion; and to urge them to recant their
‘*English* principles upon the very scaffold? Tho’ I
‘think that to be a much-more proper place for retract-
‘ing destructive errors than deliverance of truths. But
‘I can tell all the world how this came to pass; for one
‘day teaches and certifies another, and things are cleared
‘up, in time, which were mysteries before. The rea-
‘son why the clergy were so zealous for tyranny, was,
‘because it was a tyranny on their own side: their own
‘interest and strength to crush all other protestants lay
‘therein, and, according to the *Greek* and *Latin* wish to
‘enemies, invasion so applyed was a good thing; and the
‘worse the better. That made them so very liberal of
‘the *English* rights, and to sacrifice them all at once in
‘a peace-offering to *Moloch*; and it was a true act of
‘worship, for it signalized their loyalty (e).’ — He that
‘would see how far the slavish principles prevailed; may
‘be satisfied fully by consulting the *Oxford* decree, which
‘passed, in convocation, *July* 21, 1683, which condemn-
‘ed some of the plainest and most evident propositions in
‘politics. — ‘I wonder,’ says *Harrington*, ‘why mi-
‘nisters, of all men, should be perpetually tampering
‘with government: first, because they, as well as others,
‘have it in express charge to submit themselves to the
‘ordinances of men; and, secondly, because these ordi-
‘nances of men must go upon such political principles,
‘as they, of all others (by any thing that can be found
‘in their writings or actions) least understand. Whence
‘you

chance should be left for the revival
of

‘ you have the suffrage of all nations unto this sense :
‘ an ounce of wisdom is worth a pound of clergy : your
‘ greatest clerks are not your wisest men : and when
‘ some foul absurdity in state is committed, it is com-
‘ mon with the *French*, and even the *Italians*, to call it,
‘ *Pas de clerc* ; or, *Governo du prete* (f).’ But to go
on. — I have said, in the text, that the doctrines
of liberty are essential to the happiness of mankind. But
this, in the opinion of Mr. *Hobbes*, is a mere jest ; and
founded on an absolute mistake. ‘ The *Athenians* and
‘ *Romans*,’ says he, ‘ were free ; that is, free common-
‘ wealths : not that any particular men had the liberty
‘ to resist their own representative ; but that their repre-
‘ sentative had the liberty to resist or invade other people.
‘ There is written on the turrets of the city of *Luca*, in
‘ great characters, at this day, the word *LIBERTAS* ; yet
‘ no man can thence infer, that a particular man has
‘ more liberty or immunity from the service of the com-
‘ monwealth, than in *Constantinople*. Whether a com-
‘ monwealth be monarchical or popular, the freedom
‘ is still the same. But it is an easy thing for men to be
‘ deceived by the specious name of liberty ; and for want
‘ of judgment to distinguish, mistake that for their pri-
‘ vate inheritance and birthright, which is the right of
‘ the publique only. And when the same error is con-
‘ firmed by the authority of men in reputation for their
‘ writings in this subject, it is no wonder if it produce
‘ sedition and change of government. In these Western
‘ parts of the world, we are made to receive our opini-
‘ ons, concerning the institution and rights of common-

(f) Oceana,
first edition,
p. 223.

of former principles, so odious in the
eyes

‘wealths, from *Aristotle*, *Cicero*, and other men, *Greeks*
‘and *Romans*; that, living under popular states, derived
‘those rights, not from the principles of nature, but
‘transcribed them into their books, out of the practice
‘of their own commonwealths, which were popular; as
‘the grammarians describe the rules of language out of
‘the practice of the time; or the rules of poetry, out of
‘the poems of *Homer* or *Virgil*. And because the *Athe-*
‘*nians* were taught (to keep them from desire of chang-
‘ing their government), that they were freemen, and all
‘that lived under monarchy were slaves; therefore
‘*Aristotle* puts it down in his *Politiques* (*lib. vi. cap. 2.*),
‘in democracy liberty is to be supposed: for it is com-
‘monly held, that no man is free in any other govern-
‘ment. And as *Aristotle*, so *Cicero* and other writers
‘have grounded their civil doctrine on the opinions of
‘the *Romans*, who were taught to hate monarchy, at
‘first, by them that, having deposed their sovereign,
‘shared amongst them the sovereignty of *Rome*; and af-
‘terwards by their successors. And by reading of these
‘*Greek* and *Latin* authors, men, from their childhood,
‘have gotten a habit (under a false shew of liberty) of
‘favouring tumults, and of licentious controlling the ac-
‘tions of their sovereigns, and again of controlling those
‘controllers with the effusion of so much blood: as, I
‘think, I may truly say, there was never any thing so
‘dearly bought, as these Western parts have bought
‘the learning of the *Greek* and *Latin* tongues (g).’ —
On the former part of this passage Mr. *Harrington* re-
marks, that, ‘to say, that a *Luchese* hath no more li-
‘berty

(g) *Levia-*
than, p.
110. fol.
Lond. 1651.

eyes of the government, and at the
same

‘ berty or immunity, from the laws of *Luca*, than a *Turk*
‘ hath from those of *Constantinople*; and to say that a *Lu-*
‘ *chese* hath no more liberty or immunity by the laws
‘ of *Luca*, than a *Turk* hath by those of *Constantin-*
‘ *ople*; are pretty different speeches. The first may be
‘ said of all governments alike; the second scarce of any
‘ two; much less of these, seeing it is known, that
‘ whereas the greatest bashaw is a tenant as well of his
‘ head, as of his estate, at the will of his lord: the
‘ meanest *Luchese*, that hath land, is a freeholder of
‘ both, and not to be controlled but by the law; and
‘ that framed by every private man unto no other end
‘ (or they may thank themselves) than to protect the
‘ liberty of every private man, which by that means
‘ comes to be the liberty of the commonwealth (*b*).’ — (*b*) *Oceana*.

But Mr. *Hobbes*, I think, is much mistaken in attributing our notions of liberty, and the consequences of these notions, to the reading of *Greek* and *Latin* writers. Our ancestors in *Germany*, who understood neither *Greek* nor *Latin*, entertained them. The feudal system, in the formation of which neither *Aristotle* nor *Cicero* were consulted, introduced in these Western parts by the Northern nations, in a good measure adopted them; and they are still subsisting in several parts of the globe, where the *Greeks* and *Romans* were never heard of. This writer, I suppose, had in his eye the civil wars of his own time and country, when he speaks thus severely of the doctrines of liberty, and the supposed patrons of it. The *Greek* philosopher, and the *Roman* orator, the historians of both nations, and many even of their poets,

same time so terrible, the press was
most

celebrate the patrons of liberty, and consign to eternal infamy her foes. However, if I am not much mistaken, it was not from these that the spirit of freedom was caught, which produced effects so wonderful. From the Reformation, the *Hebrew* historians had been read; read diligently and constantly by the bulk of the people: more especially by those stiled Puritans, who aided the parliament, and rendered their cause successful. The overthrow of *Pharoah*, for his tyranny; the destruction of *Sihon*, and *Og*, for inhumanity; the hanging the king of *Ai*, and the five kings, by *Joshua*, after having overcome them; the treatment of *Adonibezek*; and the present from the Lord of a dagger, by *Ehud* to *Eglon*, whereby the *Israelites* were restored to freedom; and a multitude of other instances which might be produced; tended much to fill their minds with notions of the lawfulness of resistance, and the right of punishing tyranny and oppression. And the writers of the books of the New Testament, though they have laid down the doctrine of submission to the higher powers in clear and express terms; yet never thought, as appears by their own history, that the magistrate was intitled to absolute, unconditional obedience. Now is it to be wondered, that men conversant, daily conversant, in such writings, should imbibe the spirit of freedom? These writings did that on the main body of the soldiery at this time, which *Aristotle* or *Cicero* could not have done: that is, they excited them to action by examples held, on all hands, to be sacred and divine. But what are the mischiefs resulting from these doctrines? do they,
indeed,

most strictly guarded (www) and secured;

indeed, favour tumults; and licentiously tend to controul the actions of sovereigns; more than their contraries? by no means. If we look into the histories of the *Turkish* or the *Russian* empires, we shall find more tumults, more controuling, more deposing, and murdering of sovereigns; than are to be found in the annals of those nations where the principles of liberty have most prevailed. *Sha Hussein* was deposed, his children massacred, and the crown transferred from his family, even in our own days; though the *Afgans*, and their chiefs, were wholly uninstructed by the masters *Mr. Hobbes* speaks of (i). The gentleman, however, was unnecessarily alarmed. 'The right of resistance,' as *Mr. Locke* observes, 'even in manifest acts of tyranny, will not suddenly, or on slight occasions, disturb the government. For if it reaches no farther than some private mens cases, though they have a right to defend themselves, and to recover by force what by unlawful force is taken from them; yet the right to do so will not easily engage them in a contest wherein they are sure to perish: it being as impossible for one, or a few oppressed men to disturb the government, where the body of the people do not think themselves concerned in it; as for a raving madman, or heady malecontent, to overturn a well-settled state: the people being as little apt to follow the one, as the other (k).'

(i) See
Hanway's
Revolutions
in Persia.

(k) On Government,
p. 381. 8vo.
Lond. 1674.

(www) *The Press was strictly guarded and secured.*]
The liberty of the press was always a matter of lamentation to the friends of despotism. — 'Printing,' says

cured; and such as were found to be
the

one of these, in an address to his majesty, *Charles II.* 'is
' like a good dish of meat, which, moderately eaten of,
' turns to the nourishment and health of the body;
' but, immoderately, to surfeits and sicknesses. As
' the use is very necessary, the abuse is very dangerous.
' Cannot this abuse be remedied any other way, than
' depriving your majesty of your antient and just power?
' How were the abuses taken away in Queen *Elizabeth*,
' King *James*, and the beginning of King *Charles* his
' time, when few or no scandals or libels were stirring?
' Was it not by fining, imprisoning, seizing the books,
' and breaking the presses of the transgressors, by order
' of council-board? Was it not otherwise when the
' jurisdiction of that court was taken away, by act
' of parliament, 17 *Car.* If princes cannot redress
' abuses, can less men redress them? I dare positively
' say, the liberty of the press was the principal further-
' ing cause of the confinement of your most royal fa-
' thers person: for, after this act, every male-content
' vented his passion in print; some against his person,
' some against his government, some against his religion,
' and some against his parts. The common people, that
' before this liberty believed even a ballad because it was
' in print, greedily sucked in these scandals, especially
' being authorized by a god of their own making. The
' parliament, finding the faith of the deceived people to be
' implicitly in them, printed the Remonstrance, the En-
' gagement to live and dye with the Earl of *Essex*, the
' Covenant, &c. and so totally possessed the press that the
' king could not be heard. By this means the common
people

the authors or publishers of things disagreeable

‘people became not only statists, but parties in the parliaments cause, hearing but one side, and then words begat blows. For though words of themselves are too weak instruments to kill a man; yet they can direct how, and when, and what men shall be killed. In the Statute of 21 Jac. printing keeps very able company; as salt-peter, gun-powder, ordnance, &c. all which are excepted from being monopolies (l).’

—— Another writer, of the same class, had before proposed, ‘that the press be carefully looked into, that no seditious books or pamphlets be vented, to poison the people, or to confirm any in their bad principles. The want of this care,’ adds he, ‘hath grown into a great seminary of mischief, which, if nothing but our sad experience of it, should make us more wary for the future (m).’ —— But even this was not all. —— The

author also proposed, that a choice and able committee be appointed to enquire after all books and writings whatsoever, which have spoke against the royal right, or the right of the subject; that they may, as many as can be got, either be purged or burnt, and declared against by authority; and not to remain as apt fuel for a new flame, but be buried as far as can be in perpetual oblivion. And, perhaps, in the first place, as most pestilent, those tracts that have been writ about that ridiculous contradiction *in adjecto* of the two houses co-ordination with the king the monarch, when the king is the head, the lords spiritual and temporal, and the commons, the three estates, by several acts of parliament specified, *lippiis & tonsoribus*

‘notum :

(l) Atkins's
Original and
Growth of
Printing.
4to. Lond.
1664. In
the Dedic-
tion.

(m) Lake's
Memoran-
da, p. 130.
4to. Lond.
1662.

agreeable, underwent heavy punishments.

Mens

‘ *notum* : yet urged for designs mischievous abominably,
 ‘ as we have felt. As also that trayterous distinc-
 ‘ tion of the *Spensers*, ’twixt the kings person and of-
 ‘ fice, by two acts of parliament declared treason; yet
 ‘ in these late times maintained by too many. *Good-*
 ‘ *wins* book for the justification of the murther of the
 ‘ late king, and many other of that kind. Mr. *Bucks*
 ‘ book of *Richard* the Third, wherein he seems to im-
 ‘ pugne the right of the king from the daughter of King
 ‘ *Edward* the Fourth, wife to King *Henry* the Seventh,
 ‘ too much leaning to, if not affirming *Richard* the
 ‘ Thirds right, by that monstrous act of parliament that
 ‘ illegitimizes *Edward* the Fourths issue. In Sir *Ed-*
 ‘ *ward Cokes* book, intituled, “ The third part of the
 ‘ “ Institutes of the Law of *England*, concerning High
 ‘ “ Treason, and other Pleas of the Crown,” 1658, p.
 ‘ 7. he puts it down there, for law, upon the Statute of
 ‘ 25 *Ed. III. c. ii. de prodicionibus*, that if treason be
 ‘ committed against a king *de facto*, and *non de jure*;
 ‘ and after the king *de jure* cometh to the crown,
 ‘ he shall punish the treason done to the king *de facto*;
 ‘ and a pardon granted by a king *de jure*, that is not
 ‘ also *de facto*, is void. — In regard Sir *Edward Cokes*
 ‘ writings are by many held in high repute, and some
 ‘ have not stuck to style him the oracle of the law;
 ‘ therefore his writings require to be more strictly look-
 ‘ ed into, and that if any errors be found therein, they
 ‘ may be detected and expunged, as being more dan-
 ‘ gerous than in other mens writings not of so great re-
 ‘ pute. *Corruptio optimi est pessima* (n).’ — Con-
 formable

(n) Id. P.
127.

Mens tongues, however, were employed ;
and

formable to the sentiments of these persons, an act of parliament passed ; in the preamble of which it is said, ' Whereas the well-government and regulating of Printers and Printing-presses is matter of public care, and of great concernment ; especially considering that, by the general licentiousness of the late times, many evil-disposed persons have been encouraged to print and sell heretical, schismatical, blasphemous, seditious, and treasonable books, pamphlets, and papers, and still do continue such their unlawful and exorbitant practice, to the high dishonour of Almighty God, the indangering the peace of these kingdoms, and raising a disaffection to his most excellent majesty and his government : for prevention whereof, no surer means can be advised, than by reducing and limiting the number of printing-presses, and by ordering and settling the said art or mystery of printing by act of parliament.' — In the body of the act, ' all persons are prohibited from printing any heretical, schismatical, or offensive books or pamphlets, wherein any doctrine or opinion shall be asserted, or maintained, which is contrary to the Christian faith, or the doctrine or discipline of the Church of *England*, or which shall or may tend, or be to the scandal of religion, or the church, or the government, or governors of the church, state, or commonwealth, or of any corporation, or particular person or persons whatsoever.' But as all men could not be supposed to know when they wrote heresy, or promoted schism ; as authors might unwittingly manufacture blasphemy, sedition, and treason ; it was provided,

and a court, with measures so vile, escaped
not

(s) Stat. 13
and 14 Car.
II. c. 33.

ed, that a licencer, appointed by the government, should inspect all writings prepared for the press; and after being approved of by him, he was to 'testify, under his hand, that there was not any thing contained in them contrary to the Christian faith, or the doctrine or discipline of the Church of *England*, or against the state or government of this realm, or contrary to good life, or good manners, or otherwise as the nature and subject of the work shall require (s).' — By this act, also, power and authority was given to messengers, by warrant under his majesties sign-manual, or under the hand of one or more of his majesties principal secretaries of state, or the master or wardens of the company of stationers, with a constable, at all times, to search all houses and shops where they shall know, or upon some probable reason suspect, any books to be printed, bound, or stitched; and to examine whether the same be licensed, and to demand a sight of the said licence: and if the said books shall not be licensed, then to seize upon so much thereof as shall be found imprinted, together with the several offenders, and to bring them before a justice of the peace, who was required to commit them to prison, there to remain till they were tried and acquitted, or convicted and punished.' — Offenders were, for the first offence, to be disabled from exercising their trades for the space of three years; and for the second, they were for ever incapacitated, and to be further punished by fine, imprisonment, or other corporal punishment, not extending to life or limb, as the judges or justices in the quarter-sessions should see fit.

Nor

not heavy censures. This alarmed the
guilty

Nor were these mere threatnings. Whatever was displeasing to the court was carefully suppressed; and men even dared not print the plainest truths that were displeasing to those in power. *Milton's* immortal book of *PARADISE LOST*, the public had like to have been eternally deprived of, 'by the ignorance or malice of the licenser; who, among other frivolous exceptions, 'would needs suppress the whole poem for imaginary 'treason in the following lines :

— "As when the sun, new ris'n,
"Looks thro' the horizontal misty air
"Shorn of his beams; or from behind the moon,
"In dim eclipse, disastrous twilight sheds
"On half the nations, and with fear of change
"Perplexes monarchies (p)."

What notable work these gentlemen licensers made, even with old and approved books, we may learn from the following account, given us by *Burnet*: 'When 'I writ *Bishop Bedells Life*,' says he, 'his book against '*Wadsworth* was found to be so well written, and was so 'much out of print, that it was thought fit to reprint 'it, and bind it up with his life. I could not but 'take notice of the case of subjects resisting their prince 'fully stated and justified by him; and that in a book 'dedicated to King *Charles* the First, then Prince of '*Wales*: and this was never once objected to him, nor 'he obliged to retract it; but, instead of that, he was
"after-

(p) *Toland's Life*
of *Milton*,
p. 121. 8vo.
Lond. 1761.

guilty. Conscious of their vile deeds;
they

‘ afterwards made Provost of *Trinity College* in *Dublin*,
‘ and then Bishop of *Kilmore* and *Ardagh* in that king-
‘ dom. — I thought myself bound to warn Mr. *Chif-*
‘ *well* of that passage. He was much threatned at that
‘ time for having printed *Julian*, and he was afraid of
‘ raising a new storm against himself. I told him, I
‘ would not suffer the book to be printed, unless that
‘ passage were printed in it. He shewed it to Sir *Roger*
‘ *L’Estrange*, who would not let it pass till several words
‘ were scattered quite through it, to give it an air, as if
‘ *Bedell* had been only repeating the arguments of other
‘ men: and even that did not serve turn. A marginal note
‘ was to be added to the end of that paragraph, which
‘ was framed by Sir *Roger* himself. — Such was the se-
‘ verity of our expurgators at that time (*q*).’ — But
to go on. It was an article of impeachment against
Scroggs, chief justice of the King’s Bench, ‘ That
‘ whereas one *Henry Carr* had, for some time before,
‘ published every week a certain book, intituled, “ The
“ weekly packet of Advice from Rome; or, The
“ History of Popery:” wherein the superstitions and
‘ cheats of the Church of *Rome* were, from time to time,
‘ exposed; he, the said *Scroggs*, together with the other
‘ judges of the said court, before any legal conviction
‘ of the said *Carr* of any crime, did, in a most illegal
‘ and arbitrary manner, make and cause to be entered
‘ a certain rule of that court, against the printing of the
‘ said book, *in hæc verba. Ordinatum est quod liber inti-*
‘ *tulat.* “ The weekly packet of Advice from *Rome*;
“ or,

(*q*) *Reflec-*
tions on a
Pamphlet,
p.
69. 8vo.
London. 1696.

they were afraid of consequences ; and,
therefore,

“ or, The History of Popery : ” *non ulterius imprimatur
vel publicetur per aliquam personam quamcumque.*

per Cur.

‘ And did cause the said *Carr*, and divers printers, and
‘ other persons, to be served with the same ; which said
‘ rule, and other proceedings, were most apparently
‘ contrary to all justice, in condemning, not only what
‘ had been written, without hearing the parties, but also
‘ all that might for the future be written on that sub-
‘ ject ; a manifest countenancing of popery, and discou-
‘ ragement of protestants ; an open invasion upon the
‘ right of the subject, and an encroaching and assuming
‘ to themselves a legislative power and authority (r).’

(r) Jour-
nal, 3d Jan.
1680.

———— There wanted not ground for this accusation.

For *Scroggs* had given out warrants to one *Stephens*, a
messenger of the press, to seize all books unlicensed ; to-
gether with the authors, printers, and publishers of
them. ——— As a curiosity, I will here transcribe one
of them. — ‘ Whereas the kings majesty hath lately
‘ issued out his proclamation for suppressing the print-
‘ ing and publishing unlicensed news-books, and pamph-
‘ lets of news : notwithstanding which, there are divers
‘ persons who do daily print and publish such unlicensed
‘ books and pamphlets. These are therefore to will
‘ and require you, and in his majesty’s name to charge
‘ and command you, and every of you, from time to
‘ time, and at all times, so often as you shall thereunto
‘ be required, to be aiding and assisting to *Robert Ste-*
‘ *phens*, messenger of the press, in the seizing all such
‘ books

therefore, issued proclamations against
coffee-

‘ books and pamphlets as aforesaid, as he shall be in-
‘ formed of, in any booksellers shop, or printers shop or
‘ warehouses, or elsewhere whatsoever, to the end
‘ they may be disposed of as to law shall appertain.
‘ Likewise, if you shall be informed of the authors,
‘ printers, or publishers of such books and pamphlets,
‘ you are to apprehend them, and have them before me,
‘ or one of his majesty’s justices of the peace, to be pro-
‘ ceeded against as to law shall appertain. Dated this
‘ 28th day of *May*, *Anno Dom.* 1680.

‘ To all Mayors, Sheriffs,
‘ Bayliffs, Constables,
‘ and all other Officers WILLIAM SCROGGS,
‘ and Ministers whom
‘ these may concern.

‘ To *Robert Stephens*, Messenger of the Press.’

What treatment this man gave to such as were had
before him, on account of these kind of transgressions;
will best appear from the report of the committee of the
commons, appointed to examine the proceedings of the
judges. In this report, we find, ‘ That the committee
‘ were informed, by *Francis Smith*, bookseller, that he
‘ was brought before the chief justice, by his warrant,
‘ and charged by the messenger, *Robert Stephens*, that he
‘ had seen some parcels of a pamphlet, called, “*Observati-*
“*ons on Sir George Wakemans Tryal,*” in his shop: upon
‘ which

‘ which the chief justice told him, he would make him
‘ an example; use him like a bore in *France*; and pile
‘ him and all the booksellers and printers up in prison,
‘ like faggots; and so committed him to the kings-
‘ bench: swearing and cursing at him in great fury.
‘ And when he tendred three sufficient citizens of *Lon-*
‘ *don* for his bail, alledging imprisonment in his circum-
‘ stances would be his utter ruin; the chief justice re-
‘ plied, the citizens looked like sufficient persons,
‘ but he would take no bail: and so he was forced
‘ to come out by Habeas Corpus, and was afterwards
‘ informed against for the same matter, to his great
‘ charge and vexation.

‘ And a while after, *Francis* (the son of the said *Fran-*
‘ *cis Smith*) was committed by the said chief justice, and
‘ bail refused, for selling a pamphlet, called, “A New
‘ “Years Gift, for the said Chief Justice,” to a coffee-
‘ house; and he declared to them, he would take no
‘ bail, for he would ruin them all. And further it ap-
‘ peared to the committee, that the said chief justice
‘ committed in like manner, *Jane Curtis*, she having a
‘ husband and children, for selling a book, called, “A
‘ “Satyr against Injustice,” which his lordship called
‘ a libel against him; and her friends tendring suffi-
‘ cient bail, and desiring him to have mercy on her po-
‘ verty and condition; he swore, by the name of God,
‘ she should go to prison, and he would shew no more
‘ mercy than they could expect from a wolf that came
‘ to devour them; and she might bring her Habeas
‘ Corpus, and come out so: which she was forced to do;
‘ and after informed against and prosecuted, to her utter
‘ ruin, four or five terms after.

‘ In like manner it appeared to this committee, that, about that time also, *Edward Berry* (stationer, of *Greys Inn*) was committed, by the said chief justice, being accused of selling, the “*Observations on Sir George Wakemans Tryal*,” and though he tendered 1000*l.* bail; yet the chief justice said, he would take no bail; he should go to prison, and come out according to law. And after he, with much trouble and charge, got out by Habeas Corpus, he was forced by himself, or his attorney, to attend five terms before he could be discharged, though no information was exhibited against him in all that time (s).’ — Possibly *Scroggs* was of *Wolfey’s* mind; who publicly forewarned the clergy, that if they did not destroy the press, the press would destroy them.’ — It is, indeed, a bitter enemy to tyranny of every kind *. — Mr. *Johnson*, for writing *Julian the Apostate*, in opposition to the succession of the Duke of *York*, was condemned, by the infamous *Jes-furies*, in a fine of five hundred marks, and committed prisoner to the King’s Bench till he should pay it, which was the same as perpetual imprisonment, since he was not able to raise that sum (t). — I will only just mention one fact more, and it shall be that of the immortal *Algernon Sydney*; who being obnoxious to the court, on account of his principles and his virtue, had his closet searched by a warrant from *Jenkins*, secretary of state, and his papers carried away. Among these were found a manuscript of the admirable book of Government, which was given in as evidence on his trial, and made an instrument of his destruction (u). — Such a hatred and dread had

(s) Journal, 23 Dec. 1680.

(t) See his Life, prefixed to his Works.

(u) See his Trial.

* It should be observed, that the act for regulating printers and printing-presses, though twice renewed, was now expired; and, consequently, all these proceedings were illegal.

coffee-houses (xxx), as they were deemed
the

the monarch, and his ministers, of every thing which had a tendency to revive the spirit of liberty ! But, thanks be to God ! all their efforts were vain. *Sydney's* and *Johnson's* writings live : and will live, while there is any such thing as sense or virtue in the world.

(xxx) *Proclamations were issued for suppressing coffee-houses.*] At the Restoration, *Charles* was very popular ; and his measures, how weak soever, were applauded. But Time began to open mens eyes ; and they saw clearly enough into his designs. This set men on talking, and communicating their fears and apprehensions. On this, the court was alarmed : and, ‘ one day, his majesty called the Chancellor [*Hyde*] to him, and complained very much of the licence that was assumed in the coffee-houses ; which were the places where the boldest calumnies and scandals were raised, and discoursed amongst people who knew not each other, and came together only for that communication, and from thence were propagated over the kingdom : and mentioned some particular rumours which had been lately dispersed from the fountains, which, on his own behalf, he was enough displeased with ; and asked him what was to be done in it. The chancellor concurred with him in the sense of the scandal, and the mischief that must attend the impunity of such places, where the foulest imputations were laid upon the government, which were held lawful to be reported and divulged to every body but to the magistrates, who might examine and punish them ; of which there having yet been no precedent, people generally believed that those houses had a charter of privilege

T 2

the means of propagating reports very
unfa-

‘vilege to speak what they would without being in dan-
‘ger to be called in question: and that it was high time
‘for his majesty to apply some remedy to such a grow-
‘ing disease, and to reform the understanding of those
‘who believed that no remedy could be applied to it.
‘That it would be fit, either by a proclamation to for-
‘bid all persons to resort to those houses, and so totally
‘to suppress them; or to employ some spies, who, be-
‘ing present in the conversation, might be ready to
‘charge and accuse the persons who had talked with
‘most licence in a subject that would bear complaint;
‘upon which the proceedings might be in such a man-
‘ner as would put an end to the confidence that was
‘only mischievous in those meetings. The king liked
‘both the expedients; and thought that the last could
‘not be justly made use of till the former should give
‘fair warning; and commanded him to propose it that
‘same day in council, that some order might be given
‘in it. The chancellor proposed it, as he was required,
‘with such arguments as were like to move with men
‘who knew the inconveniences which arose from those
‘places: and the king himself mentioned it with pas-
‘sion, as derogatory to the government; and directed
‘that the attorney might prepare a proclamation for
‘the suppression of those houses, in which the board
‘seemed to agree: when Sir *William Coventry*, who had
‘been heard, within a few days before, to inveigh with
‘much fierceness against the permission of so much se-
‘ditionous prattle in the impunity of those houses, stood
‘up,

unfavourable to their purposes and designs.

‘up, and said, that coffee was a commodity that yielded
 ‘the king a good revenue; and therefore it would not
 ‘be just to receive the duties and inhibit the sale of it,
 ‘which many men found to be very good for their
 ‘health; as if it might not be bought and drank but in
 ‘those licentious meetings. That it had been permitted
 ‘in *Cromwells* time; and that the kings friends had used
 ‘more liberty of speech in those places, than they durst
 ‘do in any other; and that he thought it would be bet-
 ‘ter to leave them as they were, without running the
 ‘hazard of ill being continued notwithstanding his com-
 ‘mand to the contrary. And upon these reasons his
 ‘majesty was converted, and declined any farther de-
 ‘bate; which put the chancellor very much out of coun-
 ‘tenance, nor knew he how to behave himself (x).’ —

(x) Conti-
 nuation, vol.
 iii. p. 678.

But though *Hyde* failed in his iniquitous intentions,
 other ministers adopted his plan, and attempted to carry
 it into execution. For on the 12th of *June*, 1672, a
 proclamation was issued, ‘to restrain the spreading of
 ‘false news, and licentious talking of matters of state
 ‘and government.’ In this, notice is taken ‘of the
 ‘bold and licentious discourses men had used in coffee-
 ‘houses, and in other places, to censure and defame the
 ‘proceedings of state: and all his majesties subjects are
 ‘commanded, on pain of being punished with the ut-
 ‘most severity, not to write or speak, utter or publish,
 ‘false news or reports; or to intermeddle with the af-
 ‘fairs of state or government; or with the persons of
 ‘any of his majesties counsellours or ministers; in their
 ‘common or ordinary discourses. Moreover his ma-

T 3

‘jesty

designs. — Nor was property more
secure :

‘ jesty declared his resolution of punishing not only
‘ those who used any bold or unlawful speeches, but
‘ such as should be present at any coffee-house, or any
‘ publick or private meeting, where such speeches were
‘ used, without revealing the same within the space of
‘ four and twenty hours next after such words spoken.’
This, it was imagined, would have been a screen for mi-
nisters, and a restraint on the liberty of mens tongues.
But the projectors were mistaken : men talked more
boldly than they had before done, and scrupled not to
censure freely the measures of the administration. The
court, therefore, determined to strike at the root : and
as coffee-houses were the places of public resort, and the
great marts of news and politics, it was thought fit to
put them all down by a proclamation, ordered in coun-
cil, *Dec. 29, 1675* : ‘ Because in such houses, and by
‘ occasion of the meeting of disaffected persons in them,
‘ divers false, malicious, and scandalous reports were de-
‘ vised and spread abroad, to the defamation of his ma-
‘ jesty’s government, and to the disturbance of the quiet
‘ and peace of the realm.’ And on *Jan. 7th* following,
another ‘ Proclamation was published, for discovering and
‘ punishing malicious and disaffected persons, who did
‘ daily devise and publish, as well by writing as printing,
‘ sundry false, infamous, and scandalous libels, endea-
‘ vouring thereby not only to traduce and reproach the
‘ ecclesiastical and temporal government of this king-
‘ dom, and the public ministers of the same ; but also to
‘ stir up and dispose the minds of his majesty’s subjects to
‘ sedition and rebellion.’ — But upon petition of the
‘ merchants

secure : for his majesty having leagued
himself

‘merchants and retailers of coffee and tea, a permission
‘was granted to keep open their coffee-houses to June
‘24th next, provided that every keeper of such house
‘should use his utmost endeavour to prevent and hinder
‘all scandalous papers, books, or libels, concerning the
‘government or the public ministers thereof, from be-
‘ing brought into his house, or to be there read, per-
‘used, or divulged ; and to prevent and hinder all and
‘every person or persons from declaring, uttering, and
‘divulging, in his said house, all manner of false or scan-
‘dalous reports of the government, or any of the minis-
‘ters thereof (y).’ — Such were the rigorous mea-

sures of this reign ! Measures detestable in the eyes of
the sons of freedom ; and which will expose the memo-
ries of the authors of them to eternal infamy.—Let us
now hear Mr. *North*, brother to the Lord Keeper *Guild-
ford*, a zealous advocate for the measures of this reign.
‘About this time,’ says he, ‘Sir *William Jones* being
‘his majesty’s attorney general, there was such licenti-
‘ousness of seditious, and, really, treasonable discourses
‘in coffee-houses, of which there were accounts daily
‘brought to the king, that it was considered if coffee-
‘houses might not be put down. Then it was scarce
‘possible to cohibit peoples talk ; but if the opportuni-
‘ties of promiscuous and numerous assemblies of idle
‘spenders of time were removed, ill men would not be
‘able to make such broad impressions on peoples minds
‘as they did. And the most likely way to do it was
‘thought to be by a proclamation, recalling all their li-
‘cences, and prohibiting the granting any new ones ;

T 4

‘and,

(y) Com-
pleat History
of England,
vol. iii. p.
307. fol.
Lond. 1706.

himself with *France*, against the *Dutch*,
by

(z) Life of
Lord Keeper
Guildford,
p. 152. 4to.
Lond. 1742.

‘and, under this, divers points of law were started;
‘whereupon the king commanded that all the judges
‘should attend, to give their advice touching the pro-
‘clamation: and his lordship, and five other judges, be-
‘ing all that were in town, attended. His lordship,
‘upon the main, thought that retailing of coffee might
‘be an innocent trade; but as it was used to nourish se-
‘dition, spread lies, scandalize great men, it might also
‘be a common nuisance (z).’ — In another work,
speaking of this same affair, he remarks, ‘the conclu-
‘sion of the matter was, that, upon application made by
‘petition of the coffee-men, who promised to be won-
‘derfully good for the future, and to take care to prevent
‘treasonable and seditious talk in their houses, the king
‘receded and let them go. And now the mischief is arriv-
‘ed at perfection; and not only sedition and treason, but
‘atheism, heresy, and blasphemy, are publicly taught in
‘divers of the celebrated coffee-houses; where rooms
‘are peculiar, and tables for irreligion, like the *Rota* for
‘politics: and it is as unseemly for a reasonable, con-
‘formable person to come there, as for a clergyman to
‘frequent a bawdy-house: and the best are but rendez-
‘vouses of cheats of one species or other. And the use
‘is much improved by a new invention called chocolate-
‘houses, for the benefit of rooks and cullies of quality,
‘where gaming is added to all the rest, and the summons
‘of whores seldom fails; as if the devil had erected a
‘new university, and these were his colleges, and resi-
‘dences of his professors, as well as his schools of disci-
‘pline. This way of passing time might have been
‘stopped

by virtue of a mere proclamation shut
up

‘ stopped at first, before people had possessed themselves
‘ of some convenience from them, of meeting for short
‘ dispatches, and (it were hard if no good use might
‘ be made of them) passing evenings with small expence.
‘ By which means, however legally, it was not prudent-
‘ ly done to suppress them; for a convulsion and discon-
‘ tent would unavoidably follow : and that, I believe,
‘ was the real cause the proclamation was so soon with-
‘ drawn (a).’ — Such are the senseless apologies of
this writer for so odious a measure ! — ‘ It is not,
‘ indeed, to be expected, that men should be suffered to
‘ meet together, *tumultuously*, in order to publish their
‘ mutual discontents and wrongs, and to inflame one an-
‘ other : but complaints uttered in their families, or
‘ dropped occasionally, or communicated to a friend, can
‘ never affect authority. The more men express of their
‘ hate and resentment, perhaps, the less they retain ; and
‘ sometimes they vent the whole that way ; but these pas-
‘ sions, where they are smothered, will be apt to fester,
‘ to grow venomous, and to discharge themselves by a
‘ more dangerous organ than the mouth, even by an
‘ armed and vindictive hand. Less dangerous is a rail-
‘ ing mouth, than a heart filled and inflamed with bit-
‘ terness and curses; and more terrible to a prince ought
‘ to be the secret execrations of his people, than their
‘ open revilings, or than even the assaults of his enemies.
‘ Of all the blood spilt under *Tiberius*, and the follow-
‘ ing tyrants, for words (and for no greater cause a de-
‘ luge was spilt); how small a part conduced to their
‘ security ? none, that I remember; but every drop was
‘ an

(a) North's
Examen, p.
141.

' an indelible stain upon their persons, and upon their
 ' government : every drop derived hatred, and conse-
 ' quently weakness and danger upon it. Rigorous pu-
 ' nishment for small faults, or for such as in the com-
 ' mon opinion pass for none, is a mark of ill politics : it
 ' makes the spirit of the administration look hideous and
 ' dreadful ; and it renders every man, who finds himself
 ' liable to the like faults, a capital enemy. Surely it
 ' ought to be a maxim in government, that errors which
 ' can have no consequences ought, to have no punish-
 ' ment. — In truth, where no liberty is allowed to
 ' speak of governors, besides that of praising them, their
 ' praises will be little believed. Their tenderness and
 ' aversion to have their conduct examined, will be apt
 ' to prompt people to think their conduct guilty or weak,
 ' to suspect their management and designs to be worse
 ' than perhaps they are, and to become turbulent and
 ' seditious rather than be forced to be silent. — If
 ' princes, whose memory is disliked, had allowed their
 ' subjects and co-temporaries to have spoken truth to
 ' them, or of them, probably, posterity would not have
 ' spoken so much ill, as it is probable they would not
 ' then have deserved it ; and I am apt to believe, that it
 ' had been better for all of them, to have permitted all
 ' that could have been said, than to have missed hearing
 ' what it imported them to have heard : better to have
 ' heard the disgusts and railings of their people, than that
 ' their people were armed against them, or revolted from
 ' them ; a fate which has befallen some of them, who,
 ' having had courtiers over-complaisant, or ears over-
 ' tender, learnt that they were dethroned before they
 ' had learnt that they were not beloved ; and found scarce
 ' any interval between the acclamations of flatterers and
 ' the

‘ the strokes of an executioner (b).’ — ‘ As to personal
 ‘ reflexions on men in power,’ says the late Lord *Hervey*
 (who had been himself a minister of state) — ‘ I hold
 ‘ such reflexions not only allowable and just, but always
 ‘ reasonable, and often necessary. I do not mean,’ con-
 tinues his lordship, ‘ by this, to defend coarse language
 ‘ and scurrility; and do admit, that the most proper
 ‘ things may be done in an improper manner: — but as
 ‘ I look upon all ministers and magistrates to be the ser-
 ‘ vants of the public; so the public, like every private
 ‘ man in his own family, has a right to examine, and,
 ‘ in common prudence, will examine, into every part of
 ‘ the character of every man taken into their service:
 ‘ and those who can give the public any information re-
 ‘ lating to their characters, not only do their duty to the
 ‘ public, but act likewise for their own interest as mem-
 ‘ bers of the public. If any one desires to be employed
 ‘ in the public revenue, do not those who employ him,
 ‘ or ought not those who employ him, to enquire into
 ‘ his character for substance, integrity, and ability?
 ‘ When a man is try’d by the laws of his country, and
 ‘ the facts, with regard to that public transgression of
 ‘ which he is suspected, are doubtful; are not people exa-
 ‘ mined as to his private character, and sentence often pro-
 ‘ nounced upon him according to the analogy presumed
 ‘ to be between the one and the other? Ministers stand
 ‘ in the same light: their characters ought as much to be
 ‘ canvassed, and their being proper or improper guardi-
 ‘ ans of the people, good or bad stewards for the public,
 ‘ to be guessed at and concluded from the same rules,
 ‘ and the same manner of reasoning. We find in his-
 ‘ tory, and other remnants of antiquity, that this was
 ‘ the custom and practice in the best-constituted govern-
 ‘ ments and the most flourishing societies, and even
 ‘ amongst

(b) Gor-
 don’s Dis-
 courses on
 Tacitus, vol.
 iv. p. 319.
 12mo. Lond.
 1753.

up the Exchequer (YYY), and forbid
payment

‘ amongst the men of the first rank and dignity, as well
‘ as of the greatest abilities in the most polished times of
‘ the most polished nations. Look into the works of
‘ *Cicero*, and you will find all the private vices, as well as
‘ public faults, of *Catiline*, *Clodius*, *Anthony*, *Piso*, and
‘ *Verres*, set forth; and their adulteries, incest, avarice,
‘ drunkenness, gluttony, prostitution, and profligacy,
‘ as strongly inveighed against, as their faults to the
‘ commonwealth: and used as arguments to alarm the
‘ senate and the people, and caution both against dele-
‘ gating any power, or placing any confidence in such
‘ men, as often as any that are drawn from their op-
‘ pressions, cruelties, peculat, rapaciousness, and other
‘ injustices in the exercise of the power they were vested
‘ with in their magistracies. This custom likewise pre-
‘ vailed among the *Greeks*; and, indeed, how is it pos-
‘ sible for the public to form so true a judgment of the
‘ real merit and disposition of men, or to guess how far
‘ they are to be trusted, from observing only their ac-
‘ tions in the masked conduct of their public life, as
‘ from a knowledge of their less-guarded behaviour in
‘ private transactions; and by concluding, however ap-
‘ pearances may differ, that there always will be a si-
‘ militude between the one and the other; and that a
‘ bad man can never be a good magistrate (c).’

(c) Miscel-
laneous
Thoughts,
&c. p. 16.
8vo. Lond.
1742

(YYY) *The Exchequer was shut up, and payment for-
bid to be made to creditors.*] The creditors of the king,
here meant, were the Bankers. ‘ They were a tribe,’
says *Clarendon*, ‘ that had risen and grown up in *Crom-
wells* time, and never were heard of before the late
‘ troubles,

payment to be made even of the most
just

‘ troubles ; till when, the whole trade of money had
‘ passed through the hands of the scriveners. They
‘ were, for the most part, goldsmiths ; men known to be
‘ so rich, and of so good reputation, that all the money
‘ of the kingdom would be trusted or deposited in their
‘ hands. From the time of the kings return, when
‘ though great and vast sums were granted, yet such vast
‘ debts were presently to be paid, the armies by land and
‘ sea to be presently discharged, that the money that was
‘ to be collected in six and six months would not pro-
‘ vide for those present unavoidable issues ; but there must
‘ be two or three hundred thousand pounds gotten to-
‘ gether in few days, before they could begin to disband
‘ the armies or to pay the seamen off ; the deferring
‘ whereof every month increased the charge to an incre-
‘ dible proportion : None could supply those occasions
‘ but the bankers, which brought the kings ministers
‘ first acquainted with them ; and they were so well sa-
‘ tisfied with their proceedings, that they did always de-
‘ clare, that they were so necessary to the kings affairs,
‘ that they knew not how to have conducted them with-
‘ out that assistance. The method of proceeding with
‘ them was thus : As soon as an act of parliament was
‘ passed, the king sent for those bankers (for there was
‘ never any contract made with them but in his majesty’s
‘ presence), and he being attended by the ministers of
‘ the revenue, and commonly the chancellor and others
‘ of the council, the lord treasurer presented a particular
‘ information to the king of the most urgent occasions
‘ for present money, either for disbanding troops, or dis-
‘ charging

just demands. — These unjust and arbitrary

‘ charging ships, or setting out fleets (all which are to be
 ‘ done together, and not by parcels); so that it was
 ‘ easily foreseen what ready money must be provided.
 ‘ And this account being made, the bankers were called
 ‘ in, and told, the king had occasion to use such a sum
 ‘ of ready money within such a day. They understood
 ‘ the act of parliament; and so might determine what
 ‘ money they could lend the king, and what manner of
 ‘ security would best satisfy them. Whereupon one said,
 ‘ He would, within such a time, pay one hundred thou-
 ‘ sand pounds; another more, and another less, as they
 ‘ found themselves provided; for there was no joint
 ‘ stock amongst them, but every one supplied according
 ‘ to his ability. They were desirous to have eight in
 ‘ the hundred, which was not unreasonable to ask, and
 ‘ the king was willing to give: but upon better considera-
 ‘ tion amongst themselves, they thought fit to decline that
 ‘ demand, as being capable of turning to their disadvant-
 ‘ age; and would leave the interest to the king’s own
 ‘ bounty, declaring that themselves paid six in the hun-
 ‘ dred for all the money with which they were intrusted,
 ‘ which was known to be true (d).’ — These men,
 ‘ from time to time, had supplied the government with
 ‘ money, and the crown was deeply in their debt; when
 ‘ his majesty, in council, was pleased to declare (*Jan.* 2,
 ‘ 1671, O. S.) ‘ that seeing all the princes and states, his
 ‘ neighbours, were making great preparations for war,
 ‘ both by sea and land; his majesty, for the safety of his
 ‘ government and people, lookt upon himself as obliged
 ‘ to make such preparations as might be proportionable
 ‘ for

(d) Conti-
 nuation, vol.
 iii. p. 597.

bitrary proceedings, we may well suppose,

‘ for the protection both of one and the other : and to
‘ that end, he has already given orders for the fitting and
‘ preparing a very considerable fleet to be ready against
‘ the spring. By this inevitable necessity, his majesty,
‘ considering the great charges that must attend such
‘ preparations, and, after his serious debates and best
‘ considerations, not finding any possibility to defray such
‘ unusual expences by the usual ways and means of bor-
‘ rowing moneys, by reason his revenues were so anti-
‘ cipated and engaged, he was necessitated (contrary to
‘ his own inclinations), upon these emergencies and the
‘ publick safety, at the present, to cause a stop to be made
‘ of the payment of any moneys now being or to be
‘ brought into his Exchequer, for the space of one whole
‘ year, unto any person or persons whatsoever, by virtue
‘ of any warrant, securities, or orders, whether registred
‘ or not registred therein, and payable within that time.’

— These were hopeful tidings, we may suppose, to the bankers and their creditors. — His majesty, however, out of his great grace and goodness, was pleased to assure them, that ‘ he would pay them interest at the
‘ rate of six *per cent* ; and, to take away all apprehensions or terror that might possess any of his subjects spirits, he moreover declared, that no person whatsoever
‘ should be defrauded of any thing that was justly due
‘ to him; nor should this restraint, to which his majesty
‘ had been compelled, continue longer than a year. And
‘ his majesty was pleased further to declare, that nothing
‘ could have urged him to an act of this nature, but such
‘ a conjuncture of affairs, when all the neighbouring
‘ princes

pose, the people had an aversion to.

But

(e) Declaration, fol. In the Savoy, by the King's Printers.

‘princes and states were making such threatening preparations, that his government could not be safe without appearing in the same posture (e).’ — And by another declaration, dated, *Dec. 11, 1672*, the stoppage was to be continued till the *May* following; which continuance for so short a time, his majesty says, ‘was to show his intentions of taking the first opportunity that any way or means shall offer to him, to restore to his good subjects all that is justly due to them, and render them under his government both safe and happy.’ — The king and his ministers must have been the most abandoned of men, to frame declarations of this nature in order to gloss over their villany and injustice. *England* was in danger from no prince or state at this time: but *Charles* was meditating the ruin of his neighbours, and the enslaving his country; — one mean of doing which was — reducing his people to poverty. — When the war was declared, it was not thought adviseable immediately to assemble the parliament: but as his majesty was no œconomist, nor his ministers over-honest, necessity compelled him in little more than a year to do it. As the bankers debt could not well avoid being mentioned, it was spoken of by *Shaftesbury*, at the opening of the sessions (f), in the following manner: — ‘The king was forced, for the carrying on of his affairs, much against his will, to put a stop to the payments out of the Exchequer. He saw the pressures upon himself, and growing inconveniences to his people, by great interest, and the difference through all his business between ready-money

(f) Feb. 5, 1672.

and

But there was little remedy, as his majesty

and orders. This gave the king the necessity of that proceeding; to make use of his own revenue, which hath been of so great effect in this war. But though he hath put a stop to the trade and gain of the bankers; yet he would be unwilling to ruin them, and oppress so many families as are concerned in those debts: besides, it were too disproportionable a burden upon many of his good subjects. But neither the bankers nor they have reason to complain, if you now take them into your care, and they have paid them what was due to them when the stop was made, with six *per cent.* interest from that time. The king is very much concerned, both in honour and interest, to see this done. And yet he desires you not to mis-time it; but that it may have only the second place, and that you will first settle what you intend about the supply.' — One would think no man could have had the effrontery to have uttered such sentences in full parliament; — no parliament permit the adviser of so infamous a deed to talk thus, with impunity, in its presence. But we shall find the reason in the following note. — The bankers remained, however, in the same wretched condition. The king himself had no honesty; and the parliament thought itself under no obligation to make good his frauds. To amuse the creditors a little longer, he recommended them once more to the care of his parliament; and his chancellor tried to move compassion by the following strains (g): 'There is one word more I am commanded to say concerning that debt is owing to the goldsmiths. The king holds himself in honour and conscience

(g) Oct. 27,
1673. See
Burnet, vol.
i. p. 306.

jefty had, for the greatest part of his reign,

‘ obliged to see them satisfied. Besides, you all know
 ‘ how many widows, orphans, and particular persons,
 ‘ this publick calamity hath overtaken ; and how hard
 ‘ it is that so disproportionable a burden should fall up-
 ‘ on them, even to their utter ruin. The whole case is
 ‘ so well and generally known, that I need say no more.
 ‘ Your great wisdoms hath not done it at the first ; per-
 ‘ adventure that the trade of the banker might be sup-
 ‘ pressed, which end is now attained. So that now
 ‘ your great goodness may restore to those poor people,
 ‘ and the many innocent ones that are concerned with
 ‘ them, some life and assurance of payment in a com-
 ‘ petent time.’ — This was mere talking : for no-
 thing was done by parliament, towards the payment of
 it, until the 12th of King *William* ; when it was enacted,
 ‘ that, in discharge of certain annual perpetual payments
 ‘ and arrears thereof, granted by King *Charles II.* to se-
 ‘ veral patentees, out of the hereditary excise, the same
 ‘ excise should, from the 26th of *December, 1705*, stand
 ‘ charged for ever with the payment of three pounds *per*
 ‘ *annum*, for the principal sums of the owners, their
 ‘ heirs and assigns, for ever, nevertheless redeemable
 ‘ upon payment of a moiety of the principal sums ;
 ‘ by which means the nation became charged with a
 ‘ debt of 664,263*l.* being the moiety of 1,328,526*l.*
 ‘ which these principal sums amounted to, and which is
 ‘ the only debt we are now charged with that had any
 ‘ part of its rise before the Revolution (*b*).’

(*b*) History
 of Customs,
 Aids, &c.
 part i. p. 30.
 8vo. Lond.
 1761.

reign, a pensioned (zzz) and consequently
an

(zzz) *His majesty had, for a long time, a pensioned parliament.*] ‘*England* can never be undone but by a parliament,’ said Lord *Burleigh*: and *Montesquieu*, in an oracular manner, pronounces, that ‘*England* will lose its liberty, will perish — when the legislative power shall be more corrupt than the executive (i).’ — How corrupt the executive power was, we have already, in part, seen: how corrupt the legislative, I shall now shew. — I shall say little of the house of lords, where *Charles* was known to have great influence. Those who consider the popish peers, the persecuting bishops, the court lords of the time, who sat together, and deliberated for the good of their master, will not wonder to find him capable of accelerating or impeding almost any thing that came before them. The house of commons, as chosen by a free people, and as a numerous body, was with much more difficulty managed: and yet the management of them was necessary, as they alone were capable of supplying those wants which the vices and villanies of his majesty’s ministers occasioned. Former kings of the *Stuart* race had attempted to terrify the most illustrious members of the house of commons, and they had foolishly dared even to maltreat and imprison them; but they at length found that they were in the wrong box, by smarting severely for their arbitrary and illegal commitments. The foolish prodigality and waste made of the crown revenues, by *James* and *Charles*; together with their pride, weakness, and obstinacy; rendered them incapable of and indisposed to make use of methods which, as by experiments hath appeared, are more apt

(i) *Spirit of
Laws*, vol. i,
p. 230.

an obsequious, corrupt parliament, destitute

to render the members of these assemblies conformable to the royal or ministerial pleasure. *Charles* saw the error of his family, and for some time avoided it. When measures were to be approved, or actions justified, which common sense contemned and honesty abhorred, then were men bribed to stifle or vote contrary to their sentiments. 'The chief men that promoted the enquiry into the accounts of the money that was given during the first *Dutch* war, were taken off (as the word then was for corrupting members); in which the court made so great a progress, that it was thought the king could never have been prevailed on to part with a parliament so much practised on, and where every man's price was known; for as a man rose in his credit in the house, he raised his price, and expected to be treated accordingly (k).' — 'During the second war, the court desired, at least, 1,200,000*l.* for the carrying it on. The great body of those that opposed the court, had resolved to give only 600,000*l.* which was enough to procure a peace, but not to continue the war. *Garroway* and *Lee* had led the opposition to the court all this session in the house of commons; so they were thought the properest to name the sum. Above eighty of the chief of the party had met over night, and had agreed to name 600,000*l.* But *Garroway* named 1,200,000*l.* and was seconded in it by *Lee*. So this surprize gained that great sum, which enabled the court to carry on the war. When their party reproached these persons for it, they said, they had tried some of the court as to the sum intended to be named, who had assured

(k) Burnet,
vol. i. p.
268.

tute of the spirit, the true spirit of freedom

‘assured them, the whole agreement would be broke
 ‘if they offered so small a sum: and this made them
 ‘venture on the double of it. They had good rewards
 ‘from the court: and yet they continued still voting on
 ‘the other side (1).’ — Such was the shameless corruption of the legislative and executive powers! such the abandoned impudence of false patriots in these evil times! Are we to wonder that such infamous actions, as the attempt on the *Dutch Smyrna* fleet; the second *Dutch* war; and the breach of faith with the bankers, and the consequent ruin of them, and their creditors; past unimpeached, uncensured? In preceding times, the authors of them would have met with due vengeance. — Not but there were men of sense, virtue, and integrity, in this assembly: men who had spirit and resolution enough to point out and expose the base measures of this reign. By them the eyes of the nation, the eyes of many members, were opened. But they had not strength to carry their motions; but were over-ruled, over-borne, by a pensioned majority. In the matters of the declaration against the dispensing power, and the bills against popery, they were successful: but when their numbers increased, and they became troublesome, by observing and censuring the wicked deeds of those in power; the parliament, this pensioned parliament, which began *May* 8, 1661, was dissolved, *Jan.* 25, 1678, O. S. — In the dialogue between two horses, written in 1674, by *A. Marvel*, we find this parliament characterized in the following manner:

(1) Id. p.
351.

dom and patriotifm. And left the nation,

‘ CHAR.

‘ That traytors to th’ country, in a brib’d houfe of
‘ commons,

‘ Should give away millions at every fummons,

‘ WOOL.

‘ Yet fome of thofe givers, fuch beggarly villains,

‘ As not to be trusted for twice twenty fhillings.

‘ CHAR.

‘ No wonder that beggars fhould ftill be for giving,

‘ Who out of what’s given do get a good living.

‘ WOOL.

‘ Four knights and a knave, who were burgefles made,

‘ For felling their confcience were liberally pay’d.

‘ CHAR.

‘ How bafe are the fouls of fuch low-prized finners,

‘ Who vote with the country for drink and for dinners!’

The fame gentleman (an independent member of this houfe, and a man of ftrict honor), in a letter to a friend, fpeaking of fome court tranfactions with the parliament, obferves, ‘ Nevertheless, fuch was the number of the
‘ constant courtiers, increafed by the apoftate patriots,
‘ who were bought off, for that turn, fome at fix, others
‘ ten, one at fifteen thoufand pounds in money, befides
‘ what offices, lands, and reverfions to others, that it is
‘ a mercy they gave not away the whole land and liberty
‘ of *England*. — The houfe of commons,’ fays he,

foon

tion, sensible of their manifold oppressions

[soon afterwards, 'has run almost to the end of their
'line; and are grown extremely chargeable to the king,
'and odious to the people (m).'] — Indeed the cry
against them was so great without doors, and the hatred
of all honest men within, that we are not to wonder at
the freedom with which they were treated. — I have now
before me a very curious, and I believe an exceeding scarce
pamphlet; supposed to be written by the abovementioned
Mr. *Marvel*. The title is, 'A seasonable argument to per-
'swade all the Grand Juries in *England* to petition for
'a new parliament: or, A list of the principal labourers
'in the great design of popery and arbitrary power, who
'have betrayed their country to the conspirators, and
'bargained with them to maintain a standing army in
'*England*, under the command of the bigotted popish
'Duke, who, by the assistance of Lord *Lauderdale's* Scotch
'army, the forces in *Ireland*, and those in *France*, hopes
'to bring all back to *Rome*.' *Amsterdam*, 1677, 4to. —
The members here are classed under their respective
counties, their characters delineated, and their gain spe-
cified. Among many other equally illustrious characters,
we find 'Sir *Robert Sawyer*, a lawyer, of as ill reputation
'as his father, has had for his attendance this session
'1000*l.* and is promised (as he insinuates) to be attor-
'ney general, and speaker of the house of commons.
'— Sir *William Drake*, Bart. under the command of his
'father-in-law, the Chief Baron *Montague*, who enjoys
'1500*l.* during the kings pleasure. — Sir *Thomas*
'*Hatton*, a man of no estate but his pension. — *Wil-*
'*liam*,

(m) *Mar-*
vel's work,
vol. ii, p.
74.

fions and cruel treatment from a prince

on

‘ *liam*, Lord *Allington*, in debt very much; a court pen-
 ‘ sioner, and in hopes of a white staff. A cully. —
 ‘ Sir *Jonathan Trelawney*, Bart. one that is known to
 ‘ have sworn himself into 4000*l.* at least, in his account
 ‘ of the prize-office. Controller to the Duke: and has
 ‘ got, in gratuities, to the value of 10,000*l.* besides
 ‘ what he is promised for being informer. — *Thomas*
 ‘ *King*, Esq; a pensioner for 50*l.* a session, &c. meat,
 ‘ &c. drink, and now and then a suit of cloaths. Sir
 ‘ *Robert Holmes*, first an *Irish* livery-boy, then a highway-
 ‘ man, now *balshaw* of the *Isle of Wight*; got, in boons,
 ‘ and by rapine, 100,000*l.* the cursed beginner of the
 ‘ two *Dutch* wars. — *Thomas Price*, Esq; 500*l.* given
 ‘ him, and 300*l.* *per annum* pension, and protection at
 ‘ *Whitehall* during prorogations. — *Charles*, Earl of
 ‘ *Ancram*, a poor *Scot*, 500*l.* *per annum* pension. —
 ‘ Sir *Joseph Williamson*, once a poor foot-boy, then a
 ‘ servitor, now principal secretary of state, and pen-
 ‘ sioner to the *French* King. — *Samuel Pepys*, Esq;
 ‘ once a taylor, then serving-man to the Lord *Sandwich*,
 ‘ now secretary to the admiralty: got, by passes and other
 ‘ illegal ways, 40,000*l.* — Sir *George Downing*, a
 ‘ poor child, bred upon charity: like *Judas* betrayed his
 ‘ master. What then can his country expect? He
 ‘ drew and advised the oath of renouncing the kings fa-
 ‘ mily, and took it first himself. For his honesty, fide-
 ‘ lity, &c. rewarded by his majesty with 80,000*l.* at
 ‘ least, and is a commissioner of the customs: the house-
 ‘ bell, to call the courtiers to vote at 6 o’clock at night:
 ‘ an exchequer-teller. — Sir *Job Charlton*, serjeant at
 ‘ law

CHARLES THE SECOND.

297

on whom they had conferred the highest
obligha-

‘law, chief justice of *Chester*: a dull *Welch* judge: 500 *l.*
‘*per annum* for his speakers place. — Sir *Edmond Wynd-*
‘*ham*, knight-martial, in boons 5000 *l.* His wife was
‘the kings nurse. — *Leviston Gower*, Esq; son-in-law
‘to the Earl of *Bath*: had a great estate fell to him by
‘chance; but honesty and wit never came by accident.
‘*Baptist May*, Esq; privy-purse: 1000 *l.* *per annum* al-
‘lowance: got besides in boons, for secret service,
‘4000 *l.* This is he that said, 500 *l.* *per annum* was
‘enough for a country gentleman to drink ale, eat beef,
‘and to stink with, &c. — Sir *Stephen Fox*, from a
‘poor foot-boy, and then singing-boy, has got in places
‘by the court 150,000 *l.* clerk of the green-cloth. —
‘*Edward Seymour* had, for four years, 2,000 *l.* pension
‘to betray the country party, for which he then appear-
‘ed. But, since, he hath shewn himself bare-faced, and
‘is treasurer of the navy, and speaker; one of the com-
‘missioners of the admiralty, and of the popish cabal.
‘— Sir *Leonel Jenkins*, son of a taylor, judge of the ad-
‘miralty; was in hopes to be archbishop of *Canterbury*:
‘employed in four embassies; and whose indefatigable
‘industry in procuring a peace for *France* has been
‘our —. He affirmed, in the house of commons, that
‘upon necessity the king might raise moneys without
‘act of parliament.’ — These are some of the very
many worthies mentioned by this writer; who, sensi-
ble of the mistakes and imperfections which necessarily
attend a work of such a kind, ‘begs pardon of the gen-
‘tlemen here named, if he has for want of better in-
‘formation undervalued the price and merit of their
‘voices,

obligations, in the time of most deep
distress,

‘ voices, which he shall be ready upon their advertise-
‘ ment to amend: but more particularly he must beg the
‘ excuse of many more gentlemen, no less deserving,
‘ whom he hath omitted; not out of any malice, or for
‘ want of good will, but of timely notice: but in gene-
‘ ral the house was, if they please to remember, this last
‘ session, by three of their own members told, that they
‘ were several papists, fifty out-laws, and pensioners with-
‘ out number; so that, upon examination, they may ar-
‘ rive at a better knowledge amongst themselves, and do
‘ one another more right, than we (however well affect-
‘ ed) can possibly do without doors.’—The heralds and
genealogists may, possibly, object to the account of the
birth, parentage, and education of some of these gentle-
men, as being inconsistent with that which, by much
labour, skill, and invention, they have published: but, I
think, no reasonable man can judge any wrong was
done them by exposing them to the scorn and detesta-
tion of the people. This, in the eyes of our best patri-
ots, was thought by much too moderate a punishment.
Mr. *Booth*, afterwards Lord *Delamere*, in a speech made
in the next parliament, having observed ‘ that there was
‘ never any pensioners in parliament till this pack of
‘ blades were got together;’ adds, ‘ What will you do?
‘ Shall these men escape; shall they go free with their
‘ booty; shall not the nation have vengeance on them,
‘ who had almost given up the government? It was
‘ they who had perverted the ends of parliaments. Par-
‘ liaments have been, and are, the great refuge of the
‘ nation; that which cures all its diseases, and heals its
‘ sores.

distress, finding no remedy from those to
whom

‘sores. But these men had made it a snare to the nation;
‘and, at best, had brought it to be an engine to give
‘money. If therefore these go away unpunished, we
‘countenance what they have done, and make way to
‘have pensioners in every parliament: but far be any
‘such thought from any man that sits within these walls.
‘And having said this, I will, in the next place, hum-
‘bly offer my thoughts what is to be done. In the first
‘place, I do propose, that every man of them shall, on
‘their knees, confess their fault to all the commons; and
‘that to be done at this bar, one by one. Next; that,
‘as far as they are able, they refund all the money
‘they have received for secret service. Our law will
‘not allow a thief to keep what he has got by stealth;
‘but, of course, orders restitution: and shall these proud
‘robbers of the nation not restore their ill-gotten goods?
‘And, lastly, I do propose, that they be voted incapable
‘of serving in parliament for the future; or of enjoying
‘any office, civil or military; and order a bill to be
‘brought in for that purpose: for it is not fit that they,
‘who were so false and unjust in that trust, should ever
‘be trusted again. This, Sir, is my opinion: but if
‘the house shall incline to any other way, I shall readily
‘comply, provided a sufficient mark of infamy be set on
‘them, that the people may know who bought and sold
‘them (n).’—These were the sentiments of a true patriot:
sentiments which, however now sneered at or despised
by the ambitious, the luxurious, the covetous, or the
necessitous tools of power; will always be venerated,
approved, and applauded, by every virtuous Freeman and
Briton,

(n) De-
lamer's
Works, p.
119.

whom they had entrusted their liberties,
in

Briton, who is sensible of the waste made on our excellent constitution by so infamous practices. — In the Journal of the house of commons, *May 10, 1679*, we find, that ‘*Mr. Charles Bertie*, being called in and examined to several questions, and then being withdrawn; it was resolved, That the house was not satisfied with the answers given by *Mr. Bertie*. — *Sir Robert Howard* informed the house, that there had been paid to *Mr. Bertie*, for secret service, from *Ladyday 1676*, to the 20th of *March, 1678*, the sum of two hundred fifty-two thousand four hundred sixty-seven pounds one shilling and nine-pence. Ordered, That *Mr. Charles Bertie* be committed to the custody of the serjeant at arms attending this house, for his contempt to this house.’ — And in the Journal, *May 23, 1679*, we read, that ‘the house being informed that *Sir Stephen Fox* had paid several sums of money to some of the members of the last parliament; and that he has books of account to evidence the same: it was ordered, that *Sir Stephen Fox* be immediately sent for to attend this house; and do bring with him all the books, and papers of accompts, of any money he has paid to any members of the last parliament, and others, for keeping public tables: and that *Sir John Hotham*, *Sir Robert Peyton*, and *Sir John Holman*, do acquaint him with this order. Ordered, That *Sir Stephen Fox* do forthwith produce, to this house, his ledger-book, cash-book, and journal, and his receipts for money by him paid for secret service: and that *Sir John Hotham*, *Sir Robert Peyton*, and *Sir John Holman*, do accompany the said *Sir Stephen*

in confidence of their honor, integrity,
and

‘ *Stephen Fox* : and that he is enjoined not to go out of
‘ the company of the said members before they return to
‘ the house. Ordered, That no member do depart the
‘ service of this house, until Sir *Stephen Fox* and the
‘ other members do return. Ordered, That Sir *Fran-*
‘ *cis Winnington* do, to-morrow morning, make a report
‘ of the informations given to the committee of secrecy,
‘ touching money paid for secret service to any of the
‘ members of the last parliament.’ — The reasons
of Mr. *Bertie’s* commitment are said to be his unsatisfactory answers, and his contempt of the house : and he could not, indeed, pretend that he was hardly dealt by. For after several evasive replies to the questions put to him, all that was to be got from him was, ‘ that by the
‘ kings order he paid the money. — If he had the
‘ kings leave and command, he would answer ; but he
‘ never discovered the kings secrets without his commands ; and the treasurers orders were in pursuance of the
‘ kings commands. If the king,’ added he, ‘ pleases to give
‘ me his commands, I am ready to inform you. In that
‘ book of all the particulars of secret service, I trusted
‘ nobody to write it : I wrote it fair ; and confess, I took
‘ a copy of it. The acquittances were my vouchers ;
‘ and who signed them, I humbly desire not to declare
‘ without the kings leave.’ — This, indeed, was a confession of the fact ; but such a confession, as was not available to the ends of public justice. Whereupon Mr. *Williams* said, ‘ All is laid upon the king. Men are
‘ come to that degree of confidence, that it will never be
‘ well till you make them great examples. The last
‘ parliament, the nation was mightily induced to the
‘ *French*

and justice; lest the people, I say, roused
by

‘*French war*, by the encouragement of some of your
‘members; and you had a poll-bill for the use of the
‘navy, and the officers of the navy treated with the
‘merchants for several things; and you were told, that
‘the money was in the navy-office in a room by itself.
‘As soon as they got the merchants goods, this Mr.
‘*Bertie*, by his tricks, paid them nothing; and con-
‘verted the money to another use. — Look into the Re-
‘cords, and you will find one article against the Duke
‘of *Somerset*, “that he had corrupted parliament men.”
‘It was one of the chief articles, &c. and shall we be
‘afraid to do less? Nothing contributes more to the
‘destruction of a nation than this. Where a man has
‘done so ill, I would make no scruple, by the legisla-
‘tive authority, to cut him off. Lay your hands on
‘your hearts. I think, this man is guilty, &c. who
‘can inform you and will not. I would, therefore, im-
‘prison him; and when such men as he can inform you
‘and will not, I would squeeze the orange and make
‘them refund (a).’ — *Fox* finding the house deter-
‘mined to enter into the bottom of this matter, after
‘many put-offs and excuses, went with *Hotham* and the
‘other members to *Whitehall* for the books: ‘where *Fox*
‘called his servants to bring such books as they had in
‘their custody, and sent for other servants that had the
‘rest. Some great books were brought into the room:
‘but whilst he sent for the acquittances, the Lord Cham-
‘berlain [*Arlington*] came in, and spoke to *Fox*. *Fox*
‘said, these gentlemen are some members of the house,
‘and I shall not speak without their hearing. My lord
‘cham-

(a) Grey's
Parliamentary
Debates,
vol. vii. p.
234.

by a sense of injury, should endeavour
to

‘ chamberlain said, I take notice you are employed to
‘ search for books and papers ; but you shall not take
‘ any away out of *Whitehall*. *Hotham* replied, Some, it
‘ seems, do make friends of the unrighteous mammon.
‘ Your lordship has quick information of what we came
‘ about, for our house doors were shut. My lord cham-
‘ berlain saw the mistake, and would have debated some
‘ things ; but *Hotham* said, He was not sent to argue
‘ this, or that ; but to obey his order. My lord cham-
‘ berlain was very desirous to tell the members why
‘ those books were not to be taken out of *Whitehall* ; but
‘ *Hotham* said, Let me have what your lordship would
‘ say in writing, and I will inform the house of it. But
‘ *Arlington* replied, That he dared not consent that any
‘ books should go out of *Whitehall* without the kings or-
‘ ders ; nor that they should inspect any books without
‘ the kings command : — but he believed, that if the
‘ house addressed the king, they might have their de-
‘ fire (p).’ — The commons finding the books were
not so easily to be come at, ordered *Fox*, upon his me-
mory, to name, to the house, such members of the last
parliament as he paid money to for secret service. On
this *Fox* observed, ‘ That he was under hard circum-
‘ stances ; either to disobey the house, or to divulge a se-
‘ cret by the kings command. I can name so few per-
‘ sons, that it will give no satisfaction to the house. I
‘ named none but what the committee named to me ;
‘ and my memory is not good enough to repeat it. It
‘ may be the persons may have an action against me.
‘ Upon my memory I cannot tell who I paid money to
4 for,

(p) Id. p.
321.

to take vengeance on the ministers of lawless

‘ for secret service, and who upon other accounts. I
 ‘ humbly pray that I may not be put to answer.’ —
 This did not satisfy : but the clerk was ordered to read
 the names of the members, one by one, in the cata-
 logue ; beginning with the speaker. Under this ne-
 cessity, *Fox* ‘ named Mr. *Seymour*, Speaker, at the end
 ‘ of every session to have received 1500*l.* as Sir *Ed-*
 ‘ *ward Turner* had received before him. After this wor-
 ‘ thy leader, he mentioned Sir *Charles Wheeler*, Sir *Jona-*
 ‘ *than Trelawney*, *Robert Roberts*, Sir *Philip Howard*, Sir
 ‘ *Courtenay Poole*, and others, to the number of 27 (q).’

(q) Id. p.
 322.

— A few of these, he said, had the money on account
 of being put out of employment, by reason of some
 forms, or of the king’s bounty : though it was easy
 enough to see the true reason of their having the allow-
 -ance. — The matter still did not rest. — On the
 24th of *May*, 1679, Sir *Francis Winnington* reported,
 from the committee of secrecy, ‘ that there was 20000*l.*
 ‘ *per annum* paid quarterly, by the commissioners of excise,
 ‘ for secret service, to members, &c. mostly by Mr.
 ‘ *Charles Bertie*, whereof no account was given to the
 ‘ exchequer but for secret service. *Bertie* was examin-
 ‘ ed, at the committee, whether he paid any of the
 ‘ 20,000*l.* to members of parliament ? He answered,
 ‘ That he had a privy seal to pay it without account ;
 ‘ and he was not at liberty to tell how he disposed of the
 ‘ money, till he had the king’s command. Next, though
 ‘ Sir *Stephen Fox* has taken a great deal of matter out of
 ‘ my hands ; yet there are some more than he has ac-
 ‘ quainted you with, who have received money : viz.

lawless power, and claim the liberties
they

‘ to Sir *Richard Wiseman*; and one *Knight*, which *Wise-*
‘ *man* paid, by a false name; each of them 400 *l. per*
‘ *annum*. Mr. *Roberts*, at one or two payments, 500 *l.*;
‘ and Mr. *Price*, 400 *l.* Sir *John Fowel*, at twice, had
‘ 500 *l.* of *Fox*. *Poole*, *Talbot*, and *Wheeler*, as menti-
‘ oned before by *Fox*. Now that I have summed up the
‘ substance of other evidence from payments in *Danby’s*
‘ time, there came in tallies of 20,000 *l. per annum*, for
‘ secret service, out of the excise. Major *Huntington*, and
‘ Sir *John James*, paid the money. Sometimes the money
‘ was paid before the quarter day; and when tallies
‘ were struck, papers were delivered back. A book of
‘ names there was, to whom money was paid. And *Ber-*
‘ *tie* had an agent, who says, that, after the treasurer
‘ was impeached, about the 24th of *December*, *Bertie*
‘ came in great haste to him for that book, with all let-
‘ ters and acquittances, and that book has many false
‘ names in it. And if he saw the book, he could tell
‘ what members were concerned, and under what head
‘ he stands. The book of 20,000 *l.* was increased by
‘ *Danby* in his time; for formerly it was not above
‘ 12,000 *l. per annum* for pensions. Farther, there was
‘ paid out of the exchequer, for Mr. *Chiffins*, who de-
‘ livered about a hundred acquittances to *Bertie*.
‘ Before the parliament did sit, there were greater sums
‘ paid than at other times. The paper the committee
‘ took, &c. mentions other persons. Sir *Joseph Treden-*
‘ *ham* had 500 *l. per annum*; and Mr. *Piercy Goring* 300 *l.*
‘ *per annum*. Sir *Robert Holt* had several sums to maintain
‘ him in prison. Sir *William Glascott*, and Sir *John*
VOL. II. X ‘ *Brampstone*,

they had so wickedly been deprived of;
a thing

(r) Id. p.
326.

‘ *Brampton*, had several sums; but he could not discover the particulars. *Wiseman*, *King*, and *Trelawney*, offered to sell their pensions to the commissioners of excise; and did pretend, that they might have money beforehand, and the commissioners had a discount of ‘ 12 per cent (r).’ — Upon this report, many things were said. However, the pensioners had liberty to speak for themselves. *Seymour* was angry at his having been mentioned by *Fox*; but denied not his receiving the money. Others made excuses in the best manner they were able: and a few behaved with effrontery. But the house, in the temper it was in, would certainly have passed a heavy censure on them; had they not been suddenly dissolved, in order to screen *Danby* and these wretched miscreants. — I have been thus long on this subject, in order to fix the æra of corruption amongst us:—of corruption, which has, since, walked about even at noon-day: bidding defiance to honor, to virtue, to the community; and threatening to overturn the foundations of free government. May the names of its projectors and fautors be condemned to eternal infamy! — It will be but justice, however, to hear what is said by way of apology for this parliament. Lord *Bolingbroke* makes it; and from him it is here recited. ‘ When I reflect,’ says he, ‘ on the particulars here mentioned [the voting down the standing army, and projecting the exclusion of the Duke of *York*], and a great many others, which might be mentioned to the honor of this parliament; I cannot hear it called the Pensioner Parliament, as it were by way of eminence, without

a thing much feared, because merited
by

‘ without a degree of indignation; especially in the age
‘ in which we live, and by some of those who affect the
‘ most to bestow upon it this ignominious appellation.
‘ Pensions, indeed, to the amount of seven or eight
‘ thousand pounds, as I remember, were discovered to
‘ have been given to some members of the house of com-
‘ mons. But then let it be remembered, likewise, that
‘ this expedient of corrupting parliaments began under
‘ the administration of that boisterous, over-bearing,
‘ dangerous minister, *Clifford*. As long as there re-
‘ mained any pretence to say that the court was in the
‘ interest of the people, the expedient of bribery was
‘ neither wanted nor practised. When the court
‘ was evidently in another interest, the necessity and
‘ the practice of bribing the representatives of the peo-
‘ ple commenced. Should a parliament of *Britain* act
‘ in compliance with a court, against the sense and in-
‘ terest of the nation; mankind would be ready to pro-
‘ nounce very justly, that such a parliament was under
‘ the corrupt influence of the court. But, in the case
‘ now before us, we have a very comfortable example
‘ of a court, wicked enough to stand in need of corrupt-
‘ ion, and to employ it; and of a parliament virtuous
‘ enough to resist the force of this expedient: which
‘ *Philip of Macedon* boasted that he employed to invade
‘ the liberties of other countries; and which had been
‘ so often employed by men of less genius, as well as
‘ rank, to invade the liberties of their own. All that
‘ corruption could do, in this parliament, was, to main-
‘ tain the appearance of a court-party, whilst the mea-

by these vile oppressors. A standing army
was

‘ fures of the court united a country party in opposition
‘ to them. Neither places nor pensions could hinder
‘ courtiers in this parliament from voting, on many sig-
‘ nal occasions, against the court ; nor protect either
‘ those who drew the king into ill measures, nor those
‘ who complied with him in them. Nay, this pensioner
‘ parliament, if it must still be called so, gave one proof
‘ of independency, besides that of contriving a test, in
‘ 1675, to purge their members, on oath, from all suspicion
‘ of corrupt influence; which ought to wipe off this stain
‘ from the most corrupt. They drove one of their pay-
‘ masters out of court, and impeached the other in the
‘ fullness of his power; even at a time when the king
‘ was so weak as to make, or so unhappy as to be forced
‘ to make, on account of pensions privately negotiated
‘ from *France*, the cause of the crown and the cause of
‘ the minister one, and to blend their interests toge-
‘ ther (s).’ — *A. Sydney’s* account of this hopeful
sett of men, whose characters he well knew, shall close
the note.—‘ Our kings,’ says he, ‘ had not wherewithall
‘ to corrupt many, till these last twenty years; and the
‘ treachery of a few was not enough to pass a law. The
‘ union of many was not easily wrought, and there was
‘ nothing to tempt them to endeavour it; for they could
‘ make little advantage during the session, and were to
‘ be lost in the mass of the people, and prejudiced by
‘ their own laws as soon as it was ended. They could
‘ not, in a short time, reconcile their various interests or
‘ passions, so as to combine together against the public;
‘ and the former kings never went about it. We are
‘ beholden

(s) Differ-
tation on
Parties, p.
31. 8vo.
Lond. 1739.

‘ holden to *Hyde, Clifford, and Danby*, for all that has
‘ been done of that kind. They found a parliament full
‘ of lewd young men, chosen by a furious people in
‘ spite to the puritans, whose severity had distasted them.
‘ The weakest of all ministers had wit enough to un-
‘ derstand that such as these might be easily deluded, cor-
‘ rupted, or bribed. Some were fond of their seats in
‘ parliament, and delighted to domineer over their
‘ neighbours by continuing in them, Others preferred
‘ the cajolaries of the court before the honor of perform-
‘ ing their duty to the country that employed them.
‘ Some thought to relieve their ruined fortunes, and
‘ were most forward to give the king a vast revenue,
‘ that from thence they might receive pensions. Others
‘ were glad of a temporary protection against their cre-
‘ ditors. Many knew not what they did when they an-
‘ nulled the triennial act; voted the militia to be in the
‘ king; gave him the excise, customs, and chimney-
‘ money; made the act for corporations, by which the
‘ greatest part of the nation was brought under the
‘ power of the worst men in it; drunk or sober, passed
‘ the five-mile act, and that for uniformity in the church.
‘ This emboldened the court to think of making parlia-
‘ ments to be the instruments of our slavery, which had
‘ in all ages past been the firmest pillars of our liberty.
‘ There might have been, perhaps, a possibility of pre-
‘ venting this pernicious mischief in the constitution of
‘ our government. But our brave ancestors could ne-
‘ ver think their posterity would degenerate into such
‘ baseness, as to sell themselves and their country. But
‘ how great soever the danger may be, ’tis less than to
‘ put all into the hands of one man and his ministers.
‘ The hazard of being ruined by those who must perish
‘ with us, is not so much to be feared as by one who

was kept up without law (AAAA), and
contrary

' may enrich and strengthen himself by our destruction.
' 'Tis better to depend upon those who are under a pos-
' sibility of being again corrupted, than upon one who
' applies himself to corrupt them because he cannot
' otherwise accomplish his designs. It were to be wish-
' ed that our security were more certain; but this be-
' ing, under God, the best anchor we have, it deserves
' to be preserved with all care, till one of a more un-
' questionable strength be framed by the consent of the
' nation (t).'

(t) Dis-
courses on
Govern-
ment, p.
456. Edit.
1763. 4^{to}.

(AAAA) *A standing army was kept up without law.*] Mr. *Trenchard*, in his excellent 'Short History of Stand-
' ing Armies in *England*,' after having pointed out many
' of the enormities of *Charles's* reign; observes, 'that he
' durst not have dreamed of all these violations, if he had
' not had an army to justify them. He had thoughts, at
' first, of keeping up the parliament army, which was
' several times in debate: but Chancellor *Hyde* prevailed
' upon him by this argument, that they were a body of
' men that had cut off his fathers head; that they had
' set up and pulled down ten several sorts of government;
' and that it might be his own turn next. So that, his fears
' prevailing over his ambition, he consented to disband
' them; but soon found how vain and abortive a thing ar-
' bitrary power would prove without an army. He there-
' fore tried all ways to get one: and, first, he attempted
' it in *Scotland*; and, by means of the Duke of *Lauder-*
' *dale*, got an act passed there, whereby the kingdom of
' *Scotland* was obliged to raise 20,000 foot and 2,000
' horse, at his majesty's call, to march into any part of
' his dominions. Much about the same time he raised

' guards

contrary to the declared sense of almost
all

guards in *England* (a thing unheard of before in our *English* constitution); and, by degrees, increased them, till they became a formidable army: for, first, they were but very few; but by adding, insensibly, more men to a troop or company, and then more troops or companies to a regiment *, before the second *Dutch* war, he had multiplied them to near 5,000 men. He then began that war in conjunction with *France*; and the parliament gave him two millions and a half to maintain it, with part of which money he raised 12,000 men, which were called the *Black-Heath* army (appointing Marshal *Schomberg* to be their general; and *Fitz Gerald*, an *Irish* papist, their lieutenant general), and pretended he raised them to attack *Holland*; but, instead of using them to that purpose, he kept them encamped upon *Black-Heath*, hovering over the city of *London*; which put both the parliament and city in such confusion, that the king was forced at last to disband them. But there were several accidents contributed to it: first, the ill success he had in the war with the *Dutch*, such gallantries being not to be attempted but in the highest raptures of fortune: next, the never-to-be-forgotten generosity of that great man, General *Schomberg*, whose mighty genius scorned so ignoble an action as to put chains upon a free people: and, at last of all, the army themselves mutiny'd for want of pay; which, added to

* It appears, from the Memoirs of Sheffield, Duke of Buckingham, that the first regiment of foot guards consisted of two thousand four hundred men (u).

(u) Works,
vol. ii. p. 27.

all the parliaments of this reign. —

But

the ill humours that were then in the nation, made the king willing to disband them. But, at the same time, contrary to the articles of peace with the *Dutch*, he continued 10,000 men in the *French* service, for the most part under popish officers, to be seasoned there in slavish principles, that they might be ready to execute any commands when they were sent over. The parliament never met, but they addressed the king to recall these forces out of *France*, and disband them; and several times prepared bills to that purpose, which the king always prevented by a prorogation; but at last was prevailed upon to issue forth a proclamation to recall them, yet at the same time supplied them with recruits, encouraged some to go voluntarily into that service, and pressed, imprisoned, and carried over others by main force: besides, he only disbanded the new-raised regiments, and not all of them neither; for he kept up in *England* five thousand eight hundred and ninety private men, besides officers, which was his establishment in 1673. The king having two great designs to carry on together, viz. popery and arbitrary power, thought this force was not enough to do his business effectually; and therefore cast about how to get a new army, and took the most plausible way, which was pretending to enter into a war with *France*; and to that purpose sent Mr. *Thyn* to *Holland*, who made a strict league with the States: and immediately upon it the king called the parliament, who gave 1,200,000 pounds to enter into an actual war with *France*, with which money he raised an army of
between

But *Charles*, notwithstanding the many
foothing

‘ between twenty and thirty thousand men within less
‘ than forty days, and sent part of them to *Flanders*.
‘ At the same time he continued his forces in *France*,
‘ and took a sum of money from that king to assist him
‘ in making a private peace with *Holland*: so that, in-
‘ stead of a war with *France*, the parliament had given
‘ a great sum to raise an army to enslave themselves.
‘ But it happened about this time that the popish plot
‘ broke out, which put the nation in such a ferment
‘ that there was no stemming the tide; so that he was
‘ forced to call the parliament, which met the 23d of
‘ *October*, 1678, who immediately fell upon the popish
‘ plot and the land army. Besides, there were discover-
‘ ed 57 commissions granted to papists to raise men,
‘ countersigned, J. WILLIAMSON [Secretary of State];
‘ for which, and saying the king might keep guards if
‘ he could pay them, he was committed to the *Tower*.
‘ This so enraged the parliament, that they immediately
‘ proceeded to the disbanding of the army, and passed an
‘ act that all forces raised since the 29th of *September*,
‘ 1677, should be disbanded; and gave the king
‘ 693,388 pounds to pay off their arrears, which he
‘ made use of to keep them up, and dissolved the parlia-
‘ ment; but soon after called another, which pursued
‘ the same counsels, and passed a second act to disband
‘ the army; gave a new sum for doing it, directed it to
‘ be paid into the chamber of *London*, appointed com-
‘ missioners of their own, and passed a vote that the con-
‘ tinuance of any standing forces in this nation, other
‘ than the militia, was illegal, and a great grievance
‘ and

soothing speeches put into his mouth
by

‘ and vexation to the people; so that army was disband-
 ‘ ed. Besides this, they complained of the forces that
 ‘ were in *France*, and addressed the king again to recal
 ‘ them; which had some effect, for he sent over no more
 ‘ recruits, but suffered them to wear out by degrees.
 ‘ The establishment, upon the dissolution of this army,
 ‘ which was in the year 16 $\frac{7}{8}$, were 5650 private sol-
 ‘ diers, besides officers. From this time he never agreed
 ‘ with his people, but dissolved three parliaments fol-
 ‘ lowing for enquiring into the popish plot; and in the
 ‘ three last years of his reign called none at all. And,
 ‘ to crown the work, *Tangier* is demolished, and the gar-
 ‘ rison brought over and placed in the most considerable
 ‘ ports in *England*; which made the establishment, in
 ‘ 168 $\frac{1}{4}$, 8482 private men, besides officers. ’Tis ob-
 ‘ servable, in this kings reign, that there was not one
 ‘ session but his guards were attacked, and never could
 ‘ get the least countenance from parliament: but, to be
 ‘ even with them, the court as much discountenanced
 ‘ the militia, and never would suffer it to be made use-
 ‘ ful. Thus, we see, the king husbanded a few guards
 ‘ so well, that, in a small number of years, they grew to
 ‘ a formidable army, notwithstanding all the endeavours
 ‘ of the parliament to the contrary: so difficult it is to
 ‘ prevent the growing of an evil that does not receive a
 ‘ check in the beginning. He increased the establish-
 ‘ ment in *Ireland* to 7700 men, officers included;
 ‘ whereas they never exceeded, in any former reign,
 ‘ 2000, when there was more occasion for them: the
 ‘ *Irish* not long before having been entirely reduced by

‘ *Cromwell*,

by his ministers, valued not parliaments
much

'*Cromwell*, and could never have held their heads up again without his countenance. But the truth of it was, his army was to support the *Irish*, and the fear of the *Irish* was to support his army (x).' — I believe this narrative to be pretty exact. — In the Journals we find it resolved, *Feb. 7, 1673*, 'that the continuing any standing forces in this nation, other than the militia, is a great grievance and vexation to the people: and that it is the humble petition of this house, to his majesty, that he will immediately cause to be disbanded that part of them that were raised since the first of *January, 1663*.' His majesty hereupon promised to reduce them to a less number (y). —

We are told, 'this matter gradually led the house into an uncommon debate concerning the kings guards, which had been established soon after the Restoration; and these following reasons were given in for disbanding the horse and foot guards, commonly called the kings life-guard:

'1. That, according to the laws of the land, the king hath no guards but those called gentlemen pensioners and yeomen of the guard.

'2. That ever since this parliament, altho' there have been so many sessions, they never settled the life-guard by act of parliament; nay, they have been so far from it, that whensoever they have been so much as mentioned in the house of commons, they would never in the least take any favourable notice of them, always looking upon them as a number of men unlawfully assembled,

(x) Short
History of
Standing Ar-
mies, p. 25
---30. 8vo.
Lond. 1739.

(y) Jour-
nal, Feb. 11.
1673.

much more than his father, when they
any

‘sembled, and in no respect fit to be the least counte-
‘nanced by the parliament of *England*.

‘3. That they are of a vast charge to the king and
‘kingdom.

‘4. That they are altogether useless to this kingdom;
‘as doth plainly appear by his majesty’s most happy
‘and peaceable reign since his blessed restoration; there
‘being so much real and mutual love, confidence, and
‘trust, between his majesty and his good people, which
‘is daily manifested by his majesty’s frequent trusting
‘and exposing his sacred person to his people without a
‘guard.

‘5. That guards, or standing armies, are only
‘in use where princes govern more by fear than by
‘love; as in *France*, where the government is arbi-
‘trary.

‘6. That this life-guard is a standing army in dis-
‘guise; and that as long as they continue, the roots of
‘a standing army will remain amongst us: and there-
‘fore it is impossible effectually to deliver this nation
‘from a standing army, till these guards are pulled up
‘by the roots.

‘7. That the life-guard is a place of refuge and re-
‘treat for papists, and men popishly affected; and a
‘school and nursery for men of arbitrary and debauched
‘principles, and favourers of the *French* government;
‘as it did too plainly appear in the case of Sir *John Co-*
‘ventry.

‘8. That if the life-guard were disbanded, the king
‘would thereby save some hundred thousand pounds

‘per

any way obstructed his views and designs ;

'per annum ; which would in a few years enable him to pay all his debts without burthening his good people with any farther taxes to that end (z).'

This zeal, against guards and standing armies, will, I doubt not, appear very strange to many readers, who have been long used to see and talk of them with great indifferency and unconcern : but we are to remember, that the army of *Charles* was kept up without law, and filled the minds of men with the most dismal apprehensions. Our army, since the Revolution, has, from year to year, been kept up by parliamentary authority ; and afforded very fine provision for numberless gentlemen, who, otherwise, would have been in a starving condition. No wonder then we hear it not said of these, as it was said of those, by the parliament-men of that time, *'There go our masters (a).'* — 'These standing guards, in time of peace, all the great lawyers of *England* declared to be illegal from the first ; and such a force upon the nation as the law abhors. The Lord Chief Justice *Vaughan* had the honesty and courage to tell my Lord *Macclesfield* so, tho' he then commanded and was at the head of them. My lord very honourably remembered this, as an instance of that great mans integrity. — But the guards became more formidable afterwards, when an undertaker offered, with a thousand of their horse, of which they had always more, to go and conquer the city of *London*, in a contemptuous manner ; and when, with their detachments, and filling up again with new men, they could at any time form an army. They had likewise their

(z) *Tor-*
buck's Par-
liamentary
Debates, vol.
i. p. 63.

(a) *John-*
son's works,
p. 312.

signs; as is evident from many of his
answers

(b) *Id. ibid.*

‘nursery of *Tangier* within call; and, when they saw
‘their time, it came over (b).’ — Mr. *Johnson* has
not heightened the apprehensions men, at this time, had
of these guards or forces. For we find Mr. *Russel*, in
the house of commons, saying, ‘Without betraying our
‘trust, we must vote these standing forces a grievance.
‘There are still designs, about the king, to ruin reli-
‘gion and property. Public business is the least of
‘their concern. A few upstart people, making hay
‘whilst the sun shines, set up an army to establish their
‘interest: and he would have care taken, for the future,
‘that no army be raised for a cabal-interest. It was
‘said the last session, by a gentleman, that the war was
‘made rather for the army, than the army for the war.
‘This government, with a standing army, can never
‘be safe: we cannot be secure in this house; and some
‘of us may have our heads taken off (c).’ — Sir *Robert Atkyns*, speaking of Lord *Russel*’s accusation, in his
indictment, of conspiring to seize and destroy the
kings guards, says, ‘The guards; what guards?
‘What or whom does the law understand or allow to be
‘the kings guards for the preservation of his person?
‘Whom shall the court that tried this noble lord, whom
‘shall the judges of the law that were then present, and
‘upon their oaths, whom shall they judge or legally
‘understand by these guards? They never read of
‘them in all their law-books. There is not any statute-
‘law that makes the least mention of any guards. The
‘law of *England* takes no notice of any such guards
‘and therefore the indictment is uncertain and void

(c) *Grey’s*
Debates, vol.
ii. p. 393.

‘The

‘ The king is guarded by the special protection of Almighty God, by whom he reigns, and whose vicerent he is. He has an invifible guard ; a guard of glorious angels.

‘ Non eget Mauri jaculis, nec arcu ;

‘ Nec venenatis gravida fagittis

(*Crede*) pharetra.

‘ The king is guarded by the love of his fubjects ; the next under God, and the fureft guard. He is guarded by the law, and courts of juftice. The militia and the trained bands are his legal guard, and the whole kingdoms guard. The very judges that tried this noble lord were the kings guards, and the kingdoms guards, and this Lord *Ruffels* guard againft all erroneous and imperfect indictments, from all falfe evidence and proof, from all ftains of wit and oratory mifapplied and abufed by counfel. What other guards are there ? We know of no law for more. King *Henry* the Seventh of this kingdom (as hiftory tells us) was the firft that fet up the band of penfioners : fince this, the yeomen of the guard ; fince them, certain armed bands, commonly now-a-days called (after the *French* mode) the kings life-guard, ride about, and appearing with naked fwords, to the terror of the nation. But where is the law ? where is the authority for them (*d*) ?

— Thus talked fome of our fathers, who had been witnefs to the mifchiefs perpetrated by mercenary, illegal bands. — Let us now hear what was faid in defence of the keeping up ftanding forces. ‘ Our army in *England*,’ faid Lord *Mulgrave*, in answer to Lord *Hallifax*’s character of a trimmer, ‘ augmented as it is, and well difciplined as it ought to be, is but an affiftance

‘ to

(*d*) Defence of Lord *Ruffel*’s Innocency, p. 14. fol. Lond. 1689.

' to the *posse-comitatus* ; and a general, in effect, does
 ' but obey a constable. Upon this ground I dare con-
 ' clude, that a competent force, in defence of the kings
 ' person and prerogative, is as necessary a support of the
 ' government as the law-courts are in *Westminster-hall* :
 ' but who can help it if the trimmers eyes are so dazzled
 ' with the glittering of a little army on *Putney-heath*,
 ' and his ears so stunned with trumpets and kettle-drums,
 ' that he has quite forgotten the opposition that has been
 ' made, these last fifty years, to the undoubted right of
 ' the crown ; and, consequently, to the peace of the na-
 ' tion ? Let him but think well of the factious and re-
 ' publican principles among us, and of the unparalleled
 ' boldness our nation always shews in the worst designs
 ' as well as the best ; and my good opinion of our trim-
 ' mer gives me almost an assurance, that he will con-
 ' clude, ten thousand soldiers are now as necessary to
 ' the kings safety, and the peoples quiet, as ever the band
 ' of pensioners and yeomen of the guard were hereto-
 ' fore. And I am confident, that he will believe that,
 ' as in times of great oppression and injustice, it would
 ' not be indecent for the house of commons to desire
 ' moderate laws for their future preservation against it ;
 ' and that they ought not for that to be suspected of re-
 ' bellion : so when the balance is too much on the other
 ' side, and kings only are in danger ; it is sure at least as
 ' fitting, and as reasonable, for them to increase their
 ' guards and strength, which ought not to breed the
 ' least suspicion in their subjects (e). An admirable
 sort of reasoning this, truly ! to see chains forging for
 us, and yet to be without suspicion of the forgers in-
 tending to manacle and enslave us ! But the writer had
 a command in the army ; was a prerogative man ; and
 devoted to the measures, the infamous measures, of his
 master.

(e) Buck-
 ingham's
 Works, vol.
 ii. p. 37.

master. — The danger from these men is well described
 by many political writers. Among these, Mr. *Gordon*
 observes, 'that no government can subsist but by force;
 'and wherever that force lies, there it is that govern-
 'ment is or soon will be. Free states therefore,' adds
 he, 'have preserved themselves, and their liberties, by
 'arming all their people; because all the people are in-
 'terested in preserving those liberties: by drawing out
 'numbers of them thus armed, to serve their country oc-
 'casionally; and by dissolving them (when that occasion
 'was over) into the mass of the people again: by often
 'changing the chief officers; or, if they continued the
 'same, by letting their commissions be temporary, and
 'always subject to the controul of the supreme power,
 'often to that of other co-ordinate power; as the *Dutch*
 'generals are to the deputies. It is indeed but rare,
 'that states, who have not taken such precaution, have
 'not lost their liberties: their generals have set up for
 'themselves; and turned the arms put into their hands
 'against their masters. This did *Marius, Sylla, Cæsar;*
 '*Dionysius, Agathocles, Charles Martel, Oliver Cromwell;*
 'and many others. And this they all did by the same
 'means: it is still frequently done in the Eastern mon-
 'archies; and by the same means all the Christian
 'princes of *Europe*, who were arbitrary, became so.
 'For as the experience of all ages shews us, that all
 'mens views are to attain dominion and riches; it is ri-
 'diculous to hope that they will not use the means in
 'their power to attain them, and madness to trust them
 'with those means. They will never want pretences,
 'either from their own safety or the public good, to jus-
 'tify the measures which have succeeded: and they know
 'well, that the success will always justify itself; that great

answers to them; his violating (BBBB)
their

‘ numbers will be found to sanctify their power; most
‘ of the rest will submit to it, and in time will think it
‘ just and necessary; perhaps, at last, believe it to be ob-
‘ tained miraculously, and to have been the immediate
‘ act of heaven (f).’

(f) Dis-
courses on
Tacitus, vol.
iv. p. 342.

(BBBB) *His answers — his violating privileges — and
disuse of parliaments.*] Nothing is more common than
for princes to speak fair in the beginning. Like lovers,
in the honey-moon, they caress their people, and are ca-
ressed by them: but having once gratified their desires,
or finding themselves unable by their cajolings to ac-
complish the views they entertained; they grow cool,
and at length have a loathing. At the conclusion of
his first parliament, *Charles* was taught to say, ——
‘ When God brought me hither, I brought with me an
‘ extraordinary affection and esteem for parliaments. I
‘ need not tell you how much it is improved by your car-
‘ riage towards me: you have out-done all the good and
‘ obliging acts of your predecessors towards the crown;
‘ and therefore you cannot but believe my heart is ex-
‘ ceedingly enlarged with the acknowledgment. —— I
‘ deal truly with you: I shall not propose any one rule
‘ to myself, in my actions and counsels, than this; What
‘ is a parliament like to think of this action, and this
‘ counsel? And it shall bewant of understanding in me,
‘ if it will not bear that test.’—These were fine words,
it must be confessed: but his after-actions were no way
correspondent to them. Being offended that the bill
passed by his father for triennial parliaments, was not
repealed by his second and most loyal pensioned parlia-
ment; merely, I suppose, through their ignorance of
inadver-

their privileges; and, when they were
found

inadvertency; he told them plainly, 'that he always
' expected they would, and even admired they had not
' considered the wonderful clauses in that bill, which
' passed in a time very uncared for the dignity of the
' crown or security of the people. I pray, Mr. Speaker,
' and you gentlemen of the house of commons, give
' that triennial bill once a reading in your house; and
' then, in God's name, do what you think fit for me
' and yourselves, and the whole kingdom. I need not
' tell you how much I love parliaments: never king was
' so much beholden to parliaments as I have been; nor
' do I think the crown can ever be happy without frequent
' parliaments: but assure yourselves, if I did think other-
' wise, I would never suffer a parliament to come together
' by the means prescribed by that bill.'—This produced
the effect intended: and the parliament put it in his ma-
jesty's power to render them immortal, to the great emo-
lument of the public. For a long time things went on
very lovingly between the king and his two houses:
but when his majesty was full of confidence that he
might do as he list, and in consequence thereof took
steps apparently contrary to the religion and interest of
his country; this very parliament was alarmed, and
began to talk and act in a manner quite unusual. This
alarmed the king: and therefore, upon their advising
him, in an address, in *May*, 1677, to enter into a league,
offensive and defensive, with the States General, against
the *French*, for the preservation of the *Spanish Nether-*
lands, and to make other alliances as his majesty should
think fit to that end: upon this advice, *Charles* having

found to be altogether intractable, his
laying

sent for the commons to the Banqueting-house in *Whitehall*, said, — ‘Gentlemen, could I have been
‘ silent, I would rather have chosen to be so, than to
‘ call to mind things so unfit for you to meddle with as
‘ are contained in some parts of your last address, where-
‘ in you have entrenched upon so undoubted a right of
‘ the crown, that, I am confident, it will appear in no
‘ age (when the sword was not drawn) that the prero-
‘ gative of making peace and war hath been so danger-
‘ ously invaded. You do not content yourselves with
‘ desiring me to enter into such leagues as may be for
‘ the safety of the kingdom; but you tell me what fort
‘ of leagues they must be, and with whom: and, as your
‘ address is worded, it is more liable to be understood to
‘ be by your leave, than at your request, that I should
‘ make such other alliances, as I please, with other of the
‘ confederates. Should I suffer this fundamental power
‘ of making war and peace to be so far invaded (though
‘ but once) as to have the manner and circumstances of
‘ leagues prescribed to me by parliament; ’tis plain, that
‘ no prince or state would any longer believe that the
‘ sovereignty of *England* rests in the crown: nor could
‘ I think myself to signify any more to foreign princes,
‘ than the empty sound of a king. Wherefore you may
‘ rest assured, that no condition shall make me depart
‘ from them, or lessen so essential a part of the mon-
‘ archy: and I am willing to believe so well of the house
‘ of commons, that, I am confident, these ill conse-
‘ quences are not intended by you.’ — On his re-
jecting the militia bill, *Nov. 30, 1678*, which had passed
both

laying them wholly aside. — After
this,

both houses, *Charles* alleged, ‘that it was to put the
‘ militia out of his power; which thing he would not
‘ do, no not for one hour: but if the commons would
‘ assist him with money for that purpose, he would take
‘ care to raise such a part of the militia, as should secure
‘ the peace of the government and his own person (g).’

— Thus did his majesty talk to his parliament, like
Solomon, and the son of *Solomon*, his immediate predecess-
ors, concerning his rights and his prerogatives; not-
withstanding, if he came honestly by them, and could
legally and effectually exert them, it must have been by
the consent and aid of those very persons, or, more pro-
perly, the collective body of his people. — In *Ja-*
nuary, 1680, N. S. — ‘great endeavours were used to
‘ procure a multitude of hands to petitions, which were
‘ framing in *London*, *Westminster*, and several counties,
‘ to be presented to the king, for the sitting of the par-
‘ liament on the 26th of *January*, according to the last
‘ prorogation: which manner of petitioning being ac-
‘ counted unwarrantable and tumultuous; his majesty
‘ was pleased, in council, to order the lord mayor and
‘ court of aldermen to take care, in their several stati-
‘ ons, of his majesty’s honor, and the peace and safety
‘ of the city; and not to suffer such persons that should
‘ sign such petitions, or go about to procure hands to
‘ them, to go unpunished: but that they should proceed
‘ against them, or cause them to be brought before the
‘ council-board, to be punished; according to a resolu-
‘ tion of all the judges of *England*, *Secundo Jacobi*. Two
‘ days after, his majesty was further pleased to issue out

(g) *Echar*,
vol. iii. p.
481; and
Grey’s De-
bates, vol.
vi. p. 300.

this, we are not to wonder at any thing
which

his royal proclamation, containing that, Whereas he hath been inform'd that divers evil-disposed persons endeavour in several parts of this kingdom to frame petitions to his majesty, for specious ends and purposes relating to the public, and thereupon to collect and procure to the same the hands and subscriptions of multitudes of his majesty's subjects; which proceedings being contrary to the common and known laws of this land, and tending to promote discontents among the people, and to raise sedition and rebellion: his majesty doth therefore strictly charge and command all and every of his loving subjects, of what rank or degree soever, that they presume not to agitate or promote any such subscriptions, nor in any ways join in any petition of that manner to be preferred to his majesty, upon peril of the utmost rigour of the law that may be inflicted for the same. — At the same instant his majesty issued out another proclamation, declaring his resolution to prorogue the parliament from the 26th day of *January* to the 11th of *November*. Notwithstanding the scope of these two proclamations, the business of petitioning was zealously carried on; and many were prepared, and some presented, not long after. Particularly, on the 13th of *January*, Sir *Gilbert Gerard*, accompanied with several eminent citizens, presented a petition from thousands of his majesty's subjects in *London, Westminster*, and parts adjacent, humbly praying, that the parliament, which is prorogued until the 26th day of *January*, may then sit to try the offenders [for the popish plot], and to redress all our grievances,

which happened. A prince, capable of
breaking

ances, no otherwise to be redressed. To which his
majesty answered, That he looked upon himself to be
the head of the government, and the only judge of
what was fit to be done in such cases: and that he
would do what he thought most for the good of him-
self and his people. Then turning to Sir *Gilbert*, he
said, That he did not expect to find one of his name,
and particularly him, in such a thing; and that he
was sorry for it. Whereupon Sir *Gilbert* would have
said something to the king; but his majesty turned
away, and would not hear him. A few days after, the
famous *Thomas Thynn*, Esq; accompanied with Sir
Walter St. John, and Sir *Edward Hungerford*, pre-
sented the *Wiltshire* petition, to the same effect, in the
name of that county. His majesty was pleased to ask
them, Whether they had their directions from the
grand-jury? Mr. *Thynn* answered, No. The king
presently replied, Why say you then that you come
from the county? you come from a company of loose,
disaffected people: adding, What do you take me to
be? and what do you take yourselves to be? I ad-
mire that gentlemen of your estates should animate
people to mutiny and rebellion. You would not take
it well I should meddle with your affairs; and I desire
you would not meddle with mine, especially with a
matter that is so essential a part of my prerogative.
Another petition, of the like nature, being presented
to him the day following, by Sir *Robert Barrington*,
Colonel *Mildmay*, Mr. *Honeywood*, &c. in the names
Y 4 of

breaking through the constitution, and
violating

‘ of themselves, and others, the inhabitants of the coun-
‘ ty of *Essex*; the kings answer was, That he was ex-
‘ tremely surprized to see them meddle with matters
‘ that so immediately concerned the crown and him,
‘ and that against the sense of the best and chiefest men
‘ of the county: that he believed that some of those
‘ that had signed the petition might mean well; but that
‘ they were abused by those that did not. To which he
‘ was pleased to add, That he was unwilling to call to
‘ mind things passed; yet, that he could not but remem-
‘ ber the act of oblivion, though not as some did: that
‘ those who had stood in need of that act, would do well
‘ not to take such courses as might need another; and
‘ that he very well remembered forty: and so turned
‘ away. And for the *Berkshire* gentlemen, and their
‘ petition, which was presented the same day from their
‘ quarter sessions, the king, in a more drolling manner,
‘ said, That they would agree that matter over a cup
‘ of ale, when they met at *Windsor*; though he won-
‘ dered that his neighbours would meddle with his bu-
‘ siness: and that the nation, as well as those gentle-
‘ men, might not be ignorant of the court resentments,
‘ these answers were publicly inserted in the *Ga-*

(b) Id. p.
579. —

‘ zettes (b).’ — His majesty, when he talked after
this manner, had forgot to consider what a parliament
would think of it. — For, as soon as they were assem-
bled, notwithstanding what the court lawyers had assert-
ed in the proclamations, and his majesty himself in dis-
course had uttered; we find it resolved, *nem. con.* ‘ That

‘ it

violating the rights of his whole people,

‘ it is, and ever hath been, the undoubted right of
 ‘ the subjects of *England* to petition the king for the
 ‘ calling and sitting of parliaments, and redressing of
 ‘ grievances. That to traduce such petitioning as a vi-
 ‘ olation of duty, and to represent it to his majesty as
 ‘ tumultuous and seditious, is to betray the liberty of
 ‘ the subject; and contributes to the design of subvert-
 ‘ ing the antient legal-constitution of this kingdom, and
 ‘ introducing arbitrary power. And it was ordered to
 ‘ appoint a committee, to enquire of all such persons as
 ‘ have offended against these rights of the subject (i).’

(i) Journal,
 Oct. 27.
 1680.

This was a noble declaration of the law; a spirited vindication of liberty, attempted to be trod under-foot by men most infamous. May we never want representatives so uncorrupt, so intrepid! ——— And as *Charles* talked thus insolently of and to his parliaments; so he scrupled not, by his actions, to shew his disregard to their privileges. — ‘ Sir *John Coventry*,’ says *Burnet*,
 ‘ made a gross reflexion on the kings amours. He was
 ‘ one of those who struggled much against the giving
 ‘ money. The common method is: after those who op-
 ‘ pose such bills fail in the main vote; the next thing
 ‘ they endeavour is, to lay the money on funds that will
 ‘ be unacceptable, and will prove deficient. So these
 ‘ men proposed the laying a tax on the play-houses,
 ‘ which, in so dissolute a time, were become nests of
 ‘ prostitution. — This was opposed by the court. It
 ‘ was said, the players were the kings servants, and a
 ‘ part of his pleasures. *Coventry* asked, Whether did
 ‘ the kings pleasure lie, among the men or the women
 ‘ that

ple, by not summoning their representatives,

‘ that acted ? This was carried, with great indignation,
 ‘ to the court. It was said, that this was the first time
 ‘ that the king was personally reflected on: if it was
 ‘ passed over, more of the same kind would follow ; and
 ‘ it would grow a fashion to talk so : it was therefore
 ‘ fit to take such severe notice of this, that nobody should
 ‘ dare to talk at that rate for the future. The Duke of
 ‘ York told me, he said all he could to the king to divert
 ‘ him from the resolution he took ; which was, to send
 ‘ some of the guards and watch in the streets where Sir
 ‘ John lodged, and leave a mark upon him. Sands and
 ‘ Obrian, and some others, went thither : and as Co-
 ‘ ventry was going home, they drew about him. He
 ‘ stood up to the wall, and snatched the flambeau out of
 ‘ his servants hands : and with that in the one hand, and
 ‘ his sword in the other, he defended himself so well,
 ‘ that he got more credit by it than by all the actions of
 ‘ his life. He wounded some of them, but was soon
 ‘ disarmed : and then they cut his nose to the bone, to
 ‘ teach him to remember what respect he owed to the
 ‘ king : and so they left him, and went back to the Duke
 ‘ of Monmouths, where Obrians arm was dressed. That
 ‘ matter was executed by orders from the Duke of Mon-
 ‘ mouth. — Coventry had his nose so well needled up,
 ‘ that the scar was scarce to be discerned. This put the
 ‘ house of commons in a furious uproar. They passed
 ‘ a bill of banishment against the actors of it ; and put
 ‘ a clause in it, that it should not be in the kings power
 ‘ to pardon them. This gave great advantages to all those
 ‘ that opposed the court : and was often remembered,
 ‘ and

atives, as in reason at least he ought to
have

‘and much improved, by all the angry men of this
‘time (k).’ — The house, indeed, seems to have been in
a furious uproar; as it had good reason to be. For on
hearing Sir *Thomas Clarges*’ account and narrative of
the matter, ‘the whole house unanimously resenting
‘this fact, not only as an high breach of privilege, but
‘an attempt of dangerous consequence to the king, his
‘laws, and government, and destructive to the very ef-
‘fence and constitution of parliaments, and in itself a
‘very vile and horrid act; which did look to be no less
‘than a contrivance of some wicked persons, that were
‘enemies to the king and peace of his kingdom. After
‘debate whereof, it was resolved, that a bill be brought
‘in, &c (l).’ — It is very remarkable, that, in the
debates on this affair, Sir *Edmund Wyndham*, Knight
Marshal, ‘desired to know whether they would proceed
‘in it here, now it was prosecuted at law; and how far
‘their proceedings might hinder the legal prosecution*.
‘And the Earl of *Ancram* said, he knew not how they
‘could inflict greater vengeance than the law can in-
‘flict. — If any of these be hanged by law,’ said he,
‘you have justice sufficient.’ — But these misera-
bles were not attended to; — they deserved not to be attend-
ed to. Sir *Robert Howard*, in reply, said, ‘He that likes
‘this fact, would do it: he that extenuates it, would
‘be perswaded to do it. — With what boldness can
‘any man speak here, that must be pulled by the ears

(k) Vol. i.
p. 269.

(l) Journal,
Jan. 10,
1670.

* It appears by the Journal, ‘that the examinations of witnesses were
‘taken, and returned into the sessions, in order to the tryal of such persons
‘guilty as were in custody.’

have done; could not but be supposed to entertain

‘at night for what he says? The people say, in the
 ‘country, that unless you right yourselves in this busi-
 ‘ness, your money is not given, but taken away.’ —
 ‘It is the way,’ said Mr. Jones, ‘to make your money
 ‘to come in the better, to punish this horrid un-*English*
 ‘act, when there is a sense in the minds of the people of
 ‘this horrid abuse; that, by privilege of parliament be-
 ‘ing broken, the people are wounded, — His soul
 ‘trembles at the sad consequences. — It is a greater
 ‘thing than he has ever seen here. — It concerns
 ‘the person, justice, and honor of the king, council,
 ‘and house of commons. — Great sums have been
 ‘given, and great sums must be given: there are many
 ‘male-contents. — Every ill-humour goes to the
 ‘place hurt. — The people say, that the house has
 ‘met these several years for nothing but to give money;
 ‘and raising money to that high degree as we have done,
 ‘they may be displeased. — Moves, that by this
 ‘act they may right themselves. By this precedent up-
 ‘on some of the guards, would have the world know
 ‘you are in earnest (m).’ — In the course of these
 debates, it is remarkable that the king is never menti-
 oned in terms of disrespect, nor is it hinted that he was
 accessory to the fact. Not but that the occasion of the
 barbarity was well enough known in the house; as ap-
 pears from a motion made for a bill to be brought in,
 to punish any man that should speak any reflective thing
 on the king (n). But his majesty was yet held in admira-
 tion, notwithstanding his guilt in this affair, and the vi-
 olation of the privilege of parliament. Such a charm
 has

(m) Grey's
 Debates, vol.
 i. p. 333.

(n) Id. p.
 346.

entertain views very unfavourable to their
welfare

has majesty ! So little are subjects apt to complain of their sovereigns ! — To go on. — The house of commons, that met *March 6, 1678*, having chosen Mr. *Seymour* for their speaker, his majesty thought fit to discharge the choice, and commanded them to make another. This was thought unprecedented, and a violation of their privileges. The house, however, desired some time to consider of it. This his majesty granted : but, upon their representing ‘ that it was the undoubted ‘ right of the commons to have the free election of one ‘ of their members to be their speaker, and to perform ‘ the service of the house ; ’ — the king answered, ‘ All ‘ this is but loss of time ; and, therefore, I command ‘ you to go back to your house, and do as I have directed you (o). ’ — It may be supposed, such an answer was not very acceptable. Many members remarked severely on it. Among others, Mr. *Williams* said, — ‘ This is no loss of time ; but will be a loss of right, ‘ if you insist not on your privileges. And, plainly, if ‘ the right be with us, shall we sit still, and let it be invaded ? and you, in parliament, give away the right of ‘ parliament (p) ? ’ — However, on another representation, to which an answer was promised by the king, though never given ; the house, after a prorogation, fearing a dissolution, submitted to his majesty’s pleasure. Thus rights were given up, and breach of privilege submitted to ; even by a parliament that wanted not spirit and resolution. — Such were the times ! — The breach of privilege, by the king, in the case of Mr. *Montague*, was still more flagrant. This gentleman had been ambassador

(o) Vol. vi,
p. 425.

(p) Id. p.
428.

welfare and happiness. And so, indeed,
it

ambassador in *France*, and negotiated his majesty's pension at that court. Being returned from thence, and on ill terms with the treasurer *Danby*, from whom, by his majesty's command, he had received orders and directions in that infamous affair; it was resolved to seize his papers, though a member of parliament, lest he should declare and prove what it was thought necessary to conceal (q). But some caution was required in so delicate an affair. Mr. Chancellor of the Exchequer therefore acquainted the house, 'that he was commanded by his majesty to inform the house, that his majesty having received information, that his late ambassador in *France*, Mr. *Montague*, a member of this house, had held several private conferences with the pope's nuntio there, without any directions or instructions from his majesty; his majesty, to the end that he might know the truth of that matter, had given orders for the seizing Mr. *Montague's* papers (r). — This message, as it was natural, produced many keen, sensible observations. — '*Montague*,' said Mr. *Powle*, 'is a member of parliament: and it is an old rule, that, in treason, no private man, nor members person, can be seized, before the accusation be given in upon oath: if not, any member may be taken from parliament. I would know, whether any legal information has been given against your member. This was a fatal case in the last king's time, of seizing members and their papers. I hope never to see the like again. If a great minister has a quarrel against a gentleman, and one go and tell the king a story of him to his pre-judice,

(q) See note
(TTT.)

(r) Journal,
19 Dec.
1678.

it happened. — For, after the dissolution

‘judice, and his papers thereupon must be seized; I
 ‘know not whither that will go. In the first place, I
 ‘would be instructed by *Ernly*, who brought the mes-
 ‘sage from the king, &c. whether there be any legal in-
 ‘formation against your member? and, if there be not,
 ‘then you may consider what to do.’ — Colonel
Birch, in the debate, declared, ‘that he had always taken
 ‘it for granted, that no members papers can be seized.
 ‘I know not what haste they are in, in this matter, nor
 ‘where it will end. Forty more members papers may
 ‘be seized, at this rate, and the house garbled; and then
 ‘the game is up. You have information from *Ernly*
 ‘of the thing, &c. and you may have as good informa-
 ‘tion as this against another member.’ — Sir *William*
Coventry ‘was loath to have his papers seized, though
 ‘but for matter of reputation. I had rather,’ added he,
 ‘have my shirt than my papers taken from me.’ —
 All that was said in defence of the action was by *Ernly*,
 chancellor of the exchequer; who alleged, ‘that in all
 ‘these cases there are warrants of the same nature (s).’
 But this being no way satisfactory, it was resolved, ‘that
 ‘the house cannot make any judgment, either in rela-
 ‘tion to their member, or the privilege of the house,
 ‘which may be in a great measure invaded, unless his
 ‘majesty will be graciously pleased to let this house
 ‘know, whether the information against Mr. *Montague*
 ‘was given upon oath; and of what nature the offence
 ‘is, that is thus complained of (t).’ This spirited and
 just resolution secured *Montague’s* papers, who se-
 lected from them those he had received from *Danby* by
 his

(s) Grey’s
 Debates, vol.
 vi. p. 337
 — 344.

(t) Journal,
 19 Dec.
 1678.

tion of his last parliament, nothing was
heard

his majesty's command; which terminated in the downfall of that prime minister. — Thus the wise were caught in their own craftiness. — From this time his majesty and his parliaments had no manner of agreement. The two last he was particularly dissatisfied with; and reproached, very severely, in a 'declaration to all his loving subjects, touching the causes and reasons that moved him to dissolve the two last parliaments (u).' — The first of these, he says, made him very unsuitable returns for his gracious expressions and intentions. 'He had addresses, in the nature of remonstrances rather than of answers: arbitrary orders for taking his subjects into custody, for matters that had no relation to privileges of parliament: strange illegal votes, declaring divers eminent persons to be enemies to the king and kingdom, without any order or process of law, any hearing of their defence, or any proof so much as offered against them.' — He then mentions their votes against those who should lend money on any branches of the revenue, or buy any tally of anticipation upon any part of it: as also their resolution of the grievousness and danger of executing the penal laws on protestant dissenters at that time; as some of the unwarrantable proceedings of that house of commons, which were the occasion of his parting with that parliament. — 'Which we had no sooner dissolved,' continues the writer of the declaration, 'but we caused another to be forthwith assembled at *Oxford*; at the opening of which, we thought it necessary to give them warning of the errors of the former, in hopes to have prevented

' the

(u) London,
by the King's
Printers.
fol. 168 r.

heard of but the most arbitrary and unjust

‘ the like miscarriages; and we required of them to make
 ‘ the laws of the land their rule, as we did, and do, re-
 ‘ solve they shall be ours. We further added, that what
 ‘ we had formerly and so often declared, concerning the
 ‘ succession, we could not depart from; but, to remove
 ‘ all reasonable fears that might arise from a possibility
 ‘ of a popish successor’s coming to the crown, if means
 ‘ could be found, that, in such a case, the administra-
 ‘ tion of the government might remain in protestant
 ‘ hands, we were ready to hearken to any expedient,
 ‘ by which the religion established might be preserved,
 ‘ and the monarchy not destroyed. But, contrary to
 ‘ our offers and expectation, we saw that no expedient
 ‘ would be entertained but that of a total exclusion,
 ‘ which we had so often declared was a point that, in
 ‘ our royal judgment, so nearly concerned us, both in
 ‘ honor, justice, and conscience, that we could never
 ‘ consent to it. In short, we cannot, after the sad expe-
 ‘ rience we have had of the late civil wars, that murder-
 ‘ ed our father of blessed memory and ruined the mon-
 ‘ archy, consent to a law that shall establish another
 ‘ most unnatural war, or, at least, make it necessary to
 ‘ maintain a standing force for the preserving the govern-
 ‘ ment and the peace of the kingdom. And we have rea-
 ‘ son to believe, by what passed in the last parliament at
 ‘ *Westminster*, that if we could have been brought to give
 ‘ our consent to a bill of exclusion, the intent was not
 ‘ to rest there, but to pass further, and to attempt some
 ‘ other great and important changes even in present.’

— The votes of the commons at *Oxford*, with re-

just proceedings; severe and cruel prosecutions.

lation to the tryal of *Fitz-Harris*, are herein also said to have been the greatest violation of the constitution of parliaments, and an inducement to put an end to that parliament itself. — ‘ But notwithstanding all this,’ says the writer, ‘ let not the restless malice of ill men, who are labouring to poyson our people, some out of fondness of their old beloved commonwealth principles, and some out of anger at their being disappointed in the particular designs they had for the accomplishment of their own ambition and greatness, persuade any of our good subjects that we intend to lay aside the use of parliaments : for we do still declare, that no irregularities in parliaments shall ever make us out of love with parliaments, which we look upon as the best method for healing the distempers of the kingdom, and the only means to preserve the monarchy in that due credit and respect which it ought to have both at home and abroad. And for this cause we are resolved, by the blessing of God, to have frequent parliaments ; and, both in and out of parliament, to use our utmost endeavours to extirpate popery, and to redress all the grievances of our good subjects ; and, in all things, to govern according to the laws of the kingdom.’ — This declaration is dated, *Whitehall*, *Apr. 8, 1681*, and was ordered by his majesty, in council, on the motion of Archbishop *Sanctroft*, to be read in all churches and chapels throughout the kingdom. — *Charles*, we are to observe, after having, in twenty-six months, dissolved four parliaments, never called another, notwithstanding the solemn promise contained in this

this declaration. Such was the honor and probity of the man ! — such his love of parliaments ! — The following passage, from *Burnet*, will be no improper supplement to this note. — ‘ To prevent all trouble
‘ from the lords, the king was advised,’ says he, ‘ to go
‘ and be present at all their debates. — At first, the
‘ king sat decently on the throne, tho’ even that was a
‘ great restraint on the freedom of debate ; which had
‘ some effect for a while : tho’ afterwards many of the
‘ lords seemed to speak with the more boldness ; be-
‘ cause, they said, one heard it to whom they had no
‘ other access but in that place : and they took the more
‘ liberty, because, what they had said could not be re-
‘ peated wrong. The king, who was often weary of
‘ time, and did not know how to get round the day,
‘ liked the going to the house as a pleasant diversion.
‘ So he went constantly. And he quickly left the
‘ throne, and stood by the fire ; which drew a croud
‘ about him, that broke all the decency of that house :
‘ for before that time every lord sat regularly in his
‘ place : but the kings coming broke the order of their
‘ sitting as became senators. The kings going thither
‘ had a much worse effect : for he became a common sol-
‘ licitor, not only in public affairs, but even in private
‘ matters of justice. He would, in a very little time,
‘ have gone round the house, and spoke to every man he
‘ thought worth speaking to. And he was apt to do
‘ that upon the solicitation of any of the ladies in favour,
‘ or of any that had credit with them. He knew well on
‘ whom he could prevail : so being once, in a matter
‘ of justice, desired to speak to the Earl of *Essex* and the
‘ Lord *Hollis* ; he said, they were stiff and fullen men :
‘ but when he was next desired to solicit two others, he
‘ undertook

secutions. — Charters (cccc) were given
up

‘ undertook to do it; and said, They are men of no con-
‘ science, so I will take the government of their con-
‘ science into my own hands. Yet when any of the
‘ lords told him, plainly, that they could not vote as he
‘ desired; he seemed to take it well from them. When
‘ the act against conventicles was debated in that house,
‘ *Wilkins* argued long against it. The king was much
‘ for having it pass; not that he intended to execute it,
‘ but he was glad to have that body of men at mercy,
‘ and to force them to concur in the design for a general
‘ toleration. He spoke to *Wilkins* not to oppose. He
‘ answered, He thought it an ill thing both in consci-
‘ ence and policy; therefore, both as he was an *English-*
‘ *man* and a bishop, he was bound to oppose it. The
‘ king then desired him not to come to the house while
‘ it depended. He said, By the law and constitution of
‘ *England*, and by his majesty’s favour, he had a right
‘ to debate and vote: and he was neither afraid nor
‘ ashamed to own his opinion in that matter, and to
‘ act pursuant to it. So he went on: and the king was
‘ not offended with his freedom. But though he bore
‘ with such a frank refusing to comply with his desire;
‘ yet, if any had made him such general answers as led
‘ him to believe they intended to be compliant, and had
‘ not in all things done as he expected, he called that a
‘ juggling with him; and he was apt to speak hardly of
‘ them on that account (x).’

(x) Vol. i.
p. 271.

(cccc) *Charters were given up—or declared forfeited.*]
It appears, from his majesty’s declaration, mentioned in
the preceding note, that he was extremely angry with
the

up to pleasure the court, or else declared
forfeited,

the transactions of the members of the house of commons: and it may well be supposed, that he was not destitute of thoughts of revenge. But as the city of *London* was averse to his measures; it was necessary, by some means or other, to deprive them of the power of thwarting his designs. What gave him courage to execute his intentions, was, the turn of affairs in the nation, evidenced by addresses full of compliments to the king and his brother; with assurances of standing by the succession: and, at the same time, reviling and blaming those who had acted contrary thereunto. So that his majesty became, on a sudden, popular; and the great leaders of opposition in disgrace. — The most considerable part of the nobility, justices, gentry, and clergy of the county of *Essex*, at the assizes, held *July 12, 1681*, addressed the king in the following terms: ‘ In a time
‘ when, by wicked plots and conspiracies, anti-mon-
‘ archical principles and doctrines, taught by the papists,
‘ and others influenced by them, in conventicles and pri-
‘ vate meetings: when, by libels and seditious pamphlets,
‘ endeavours are made to poison your subjects, defame your
‘ government, to the endangering your majesty’s person,
‘ with the disturbance of the peace of the kingdom: when,
‘ under pretence of liberty of conscience, the Church of
‘ *England*, our mother (in doctrine, discipline, and wor-
‘ ship, the best and nearest to the primitive institution),
‘ is set at naught, slighted, and reviled: when busy men
‘ will stretch beyond their last, impose their crude re-
‘ sults of their common councils on your majesty, and
‘ forget your most gracious act of oblivion: we cannot
‘ but be very apprehensive, and fear (for how can we

forfeited, for very idle, insufficient, or
unjust-

‘doubt the design, when men tread the same paths,
‘and offend again on the same wicked principles?) a
‘revolution of those extream miseries which Almighty
‘God, in his mercy to the nation, by his own imme-
‘diate hand, in the happy miraculous restoration of your
‘majesty, delivered us from. That, therefore, your
‘majesty may be the better enabled to protect and de-
‘fend our religion by law established; the mischiefs we
‘justly fear may (as much as in us lies) be prevented;
‘your majesty’s sacred person, your just rights and pre-
‘rogatives, the succession of your imperial crown to
‘your lawful heirs, according to the known laws of this
‘kingdom, preserved; and the persons, estates, liber-
‘ties, and lives of your good subjects be safe from arbi-
‘trary government, which your majesty resolves against;
‘we present your majesty, and beseech you to accept,
‘the tender of our hearts and hands, lives and for-
‘tunes (y).’ — In this strain was his majesty com-
plimented, almost by the whole kingdom, on his decla-
ration: and the same things were repeated, even in
higher strains, on the association, found among *Shaftes-
bury’s* papers; as the curious reader may find by turn-
ing to the *Gazettes* of the years 1681 and 1682. —
These addresses gave spirit to the court, and determin-
ed it to humble a city that had dared so boldly to act
counter to its designs. The bills against *Shaftesbury*
(who, from an infamous minister, had turned a violent
anti-courtier; and took on him to guide men much ho-
nester, though weaker, than himself), *Colledge*, and
Rouse, being returned *ignoramus*, and perhaps very just-
ly,

(y) Gazette,
No. 1636.

unjustifiable reasons, in spite of all the arguments

ly, by grand juries, impanelled by the sheriffs of *London* and *Middlesex*, provoked the court; who, from that moment, saw that nothing favourable was to be expected: and therefore, having a lord mayor, *Moore*, at their beck, they contrived a method of getting one sheriff, at least, to their mind, by his lordship's assistance. Accordingly, his lordship pretended a right (for many years disused, whatever the old practice may have been) to nominate one of the sheriffs by drinking to him. The citizens were alarmed at the claim, and refused to submit to it. But the court being bent on the matter, it was carried, though with much opposition. This did not satisfy however. The magistrates of *London*, by charter, were, notwithstanding, in the choice of the city. This was a power hated by the administration, and therefore to be struck at. Accordingly, a *quo warranto* was brought against the charter; which, after much time, was condemned, and the city deprived of its privileges: so that the court had now the whole government of the metropolis in its hands, and none could make the least opposition. Thus were its views accomplished. *Sprat*, speaking of the ignoramus juries, says, 'His majesty foreseeing how destructive, in time, the effects of so great and growing a mischief would be; resolved at length, after many intolerable provocations, to strike at that which he had now found to be the very root of the faction. This his majesty, and all wise and good men, perceived could be no otherways done, than, first, by reducing the elections of the sheriffs of *London* to their antient order and rules, that of late

arguments made use of, by the most
able

‘ were become only a business of clamour and violence;
‘ and then to make enquiry into the validity of the city
‘ charter itself; which an ill party of men had abused
‘ to the danger, and would have done it to the destruc-
‘ tion of the government, had they been suffered to go
‘ on never so little further uncontrouled. In both these
‘ most just and necessary undertakings, the righteous-
‘ ness of his majesty’s cause met with an answerable
‘ success. First, notwithstanding all the tumultuous
‘ riots the factious party committed, to disturb the
‘ peaceable issue of that affair; yet the undoubted right
‘ of the lord mayor’s nominating the eldest sheriff, was
‘ restored and established: and so the administration of
‘ justice once more put in a way of being cleared from
‘ partiality and corruption. And then a due judgment
‘ was obtained, by an equal process of law, against the
‘ charter itself, and its franchises declared forfeited to
‘ his majesty (z).’—If the reader asks the grounds of so
‘ extraordinary a judgment; he may know, that they were,
‘ exacting tolls in their markets illegally; and, particular-
‘ ly, raising money for rebuilding *Cheapside Conduit*;—
‘ and framing and printing a scandalous petition, wherein
‘ they charged the king with obstructing the justice of the
‘ nation, by proroguing the last *Westminster* parliament.
‘ ——— After the judge had pronounced the opinion of
‘ the court, he particularly declared, by the king’s ex-
‘ press command, that judgment should not be entered
‘ till his majesty’s pleasure was further known (a). This
‘ was not long delayed: for the lord mayor, aldermen,
‘ and citizens, having petitioned his majesty for favour
‘ and

(z) History
of the horrid
Conspiracy,
p. 8. fol.
Lond. 1685.

(a) See
Echard, vol.
iii. p. 672.

able lawyers, to the contrary : they were,
I say,

and compassion ; they were assured, that his majesty would not reject their suit, provided they submitted to his majesty's regulations. These were, indeed, of very hard digestion : for, as I have intimated above, the power of chusing their magistrates was taken away from the city and placed in the crown, where it abode till the Revolution. — We may well suppose the city thought itself hardly dealt by : but they were told, ' Nothing is ' taken away from the city but what they are the safer ' and the happier for, if they will but understand their ' own advantage : and, effectually, it is not liberty that ' is now the question, but confusion. The point, in ' short, is this : The charter's forfeited ; and his majesty ' is willing to remit that forfeiture, saving only to him- ' self the exercise of those powers, without which he ' leaves himself at the mercy of his enemies ; and his ' friends a prey and a scorn to a faction. But all that may ' be beneficial to the citizens, as a body incorporate, ' under the regulation of the law and the civil govern- ' ment all this I say his majesty leaves still to the city, upon ' such conditions only as are of absolute necessity for the ' conservation of the public peace*.' — Some few corpo- rations had surrendered their charters before this judg- ment : but after it, they almost all did it : to the joy of the court, who now were in a fair way to accomplish the long and deep-laid design of arbitrary power. — ' His majesty cannot here forbear,' says a court writer

* L'Estrange Observator, No. 363. See also North's Examen, p. 618
— 639.

and

I say, declared forfeited by corrupt and
infamous

and advocate, 'to let the world know what entire satisfaction he has taken in one special testimony of his subjects affections; whence, through Gods gracious providence, the monarchy has gained a most considerable advantage, by means of this very conspiracy [the Rye-house]: and it is, that so great a number of the cities, and corporations of this kingdom, have since so freely resigned their local immunities and charters into his majesty's hands; lest the abuse of any of them should again hereafter prove hazardous to the just prerogatives of the crown. This his majesty declares he esteems as the peculiar honor of his reign; being such, as none of all his late royal predecessors could have promised to themselves, or hoped for. Wherefore his majesty thinks himself more than ordinarily obliged to continue, as he has hitherto begun, to shew the greatest moderation and benignity in the exercise of so great a trust: resolving, upon this occasion, to convince the highest pretenders to the commonweal, that as the crown was the first original, so it is still the surest guardian of all the peoples lawful rights and privileges (b).' — Such was the language of a right reverend sycophant, who had been the panegyrist of *Cromwell*; and, after the Revolution, had the wisdom to take care of his spiritual powers and temporal revenues! Well worthy must such a man be of belief, when declaring the good intentions of such a monarch!

(b) Sprat's
account of
the Conspiracy,
p. 164.

Corrupt

infamous Judges (DDDD); who were also
made

(DDDD) *Corrupt and infamous Judges.*] Whoever considers the sentences past in the courts of justice in the latter end of this reign, will naturally imagine, that care was taken to fill the bench with proper instruments to execute every purpose the administration had in view. Great complaints were made, in the house of commons, of their behaviour; and it is well known, that resolutions for the impeachment of *Scroggs, Jones, and Weston*, were made by the house of commons in 1680. — Mr. *Booth*, in the house, speaking on this occasion, said, ‘ Let any one deny, if he can, whether our judges have ‘ not transgressed? Has not Justice been sold, or per- ‘ verted? witness the acquittal of Sir *George Wakeman*, ‘ Sir *Thomas Gascoines*, and Mrs. *Cellier*. Has not Jus- ‘ tice been denied? witness the abrupt dismissing of the ‘ grand jury, when an indictment was to have been ‘ given in to have proved the Duke of *York* a papist; ‘ and to prevent that great service to the nation, the ‘ jury was dismissed, notwithstanding they had several ‘ other bills of indictment in their hands: by which jus- ‘ tice was not only delayed, but denied. And how ma- ‘ ny instances more are there of this kind? Nay, the ‘ contagion has spread so far; that it is more difficult to ‘ find a case without these, or some of them, than to ‘ produce multitudes of cases where justice has been sold, ‘ denied, or delayed. So that our judges have been ve- ‘ ry corrupt and lordly: taking bribes, and threatening ‘ juries and evidence; perverting the law to the highest ‘ degree; turning the law upside down, that arbitrary ‘ power may come in upon their shoulders. The cry
I ‘ of

made the instruments of court vengeance,
by

(c) Dela-
mere's
works, p.
140.

' of their unjust dealings is great, for every man has felt
' their hand: and therefore, I hope, their punishment
' will be such as their crimes deserve; that every man
' may receive satisfaction (c).' — ' These judges,'
said Colonel *Titus*, ' are persons from whom we expect
' our antidote; and from these comes our poison. But
' I would say something in their commendation: I think
' them very grateful in hindering the presentment of
' persons that put them into their places. — Suppose
' no man will pursue a thief, what signify all your laws
' against robbery? I would be as favourable and good-
' natured as possible; but it must be to such as are so to
' me; not to such as would destroy my wife, my chil-
' dren, my religion, and property. As long as judges
' hold their places *durante beneplacito*, they will do what
' will please; and there is an end of your justice (d).'

(d) Grey's
Debates, vol.
viii. p. 58.

----- Mr. *Powle* acquainted the house with something
further in relation to the judges. ' Printing I take now
' to be free,' said he. ' After the dissolution of the last
' parliament, the act for regulating the press expired, and
' the old law remained. This was referred to the judges
' to consider; and they did agree, that there was no re-
' medy against the liberty of the press without a new law.
' A few days after, some of the judges were removed,
' and the rest were of another opinion; and an extra-
' judicial judgment passed, by which pamphlets were
' suppressed (e).' — It is easy to guess, from these ac-
cusations, that the judges must have borne but very
doubtful, not to say bad characters. However severe
the things here spoken may seem; they, probably, were
true.

(e) Id. p. 60.

by inflicting, on such as were disagreeable,

true. Mr. *Finch*, when speaking against the impeaching of *Scroggs* for high treason, allowed, 'that he was 'not fit for his place, nor ever was; and had done crimes 'fit for great punishment (f).' 'North,' *Burnet* observes, 'had parts turned to craft; and was thought to 'mean ill, even when he did well (g).' That he, probably, was a bad man, is evidenced by his favour in such a court; and his various promotions from it in his profession: the great friendship in which he lived with *Lauderdale*: the hand he had in the proclamation against petitioning for the sitting of parliament, for which he was in danger of being impeached: from his behaviour at *Colledge's* trial; in the business of the sheriffs, and of the charter of the city of *London*, and many other particulars; which, though applauded by his biographer, will transmit his name with dishonor to posterity. — *Withens* was, confessedly, a mean man; and promoted merely for his servility. — *Pemberton*, and *Saunders*, though of considerable abilities, were eminent for their vices; and stuck not at any means of gratifying those who employed them (h) — But *Jefferies* exceeded all in his zeal to the court, and his enmity to such as opposed it. We have his portrait drawn by different hands; but there is not one but is odious and disagreeable. — Mr. *Booth*, in the above-cited speech, speaking of him when chief justice of *Chester*, said, 'Sir *George Jefferies*, I must say, behaved himself more like a jack-pudding, than with that gravity that becomes a judge. He was mighty witty upon the prisoners at the bar: he was very full of his jokes upon people that came to give evidence; not suffering 'them

(f) Id. p. 242, 243.

(g) Vol. i. p. 532.

(h) See their characters in North's life of Guildford, p. 222, --- 226.

greeable, most arbitrary and excessive
fines,

‘ them to declare what they had to say in their own way
‘ and method; but would interrupt them, because they
‘ behaved themselves with more gravity than he: and, in
‘ truth, the people were strangely perplexed, when they
‘ were to give in their evidence; but I do not insist up-
‘ on this, nor upon the late hours he kept up and down
‘ our city. It’s said, he was every night drinking till
‘ two o’clock, or beyond that time; and that he went
‘ to his chamber drunk: but this I have only from com-
‘ mon fame; for I was not in his company. I bless
‘ God, I am not a man of his principles or behaviour.
‘ But in the mornings he appeared with the symptoms
‘ of a man that, over night, had taken a large cup. But
‘ that which I have to say is the complaint of every
‘ man, especially of them who had any law-suits. Our
‘ chief justice has a very arbitrary power in appointing
‘ the assize when he pleases: and this man has strained
‘ it to the highest point. For whereas we were accus-
‘ tomed to have two assizes; the first about *April* or *May*,
‘ the latter about *September*; it was this year, the mid-
‘ dle (as I remember) of *August* before we had any as-
‘ size: and then he dispatched business so well, that he
‘ left half the causes untried; and, to help the matter,
‘ has resolved, that we shall have no more assizes this
‘ year (i).’ It maybe supposed, that *Jefferies* did not forget
this speech, when he sat in judgment as lord steward on
Delamere, and behaved towards him in his wonted brutal
manner. *Burnet* assures us, ‘ all people were apprehen-
‘ sive of very black designs when they saw *Jefferies* made
‘ lord chief justice; who was scandalously vitious, and

(i) *Delamere's*
Works, p.
143.

finer, for comparatively very small and trifling

‘ was drunk every day : besides a drunkenness of fury
 ‘ in his temper, that looked like enthusiasm. He did not
 ‘ consider the decencies of his post: nor did he so much as
 ‘ affect to appear impartial, as became a judge ; but run
 ‘ out, upon all occasions, into declamations that did not
 ‘ become the bar, much less the bench. He was not
 ‘ learned in his profession: and his eloquence, though
 ‘ vitiously copious, yet was neither correct nor agree-
 ‘ able (k).’ — *North’s* picture of the man the reader, (k) Vol. i.
 perhaps, will not think more amiable. --- ‘ His friend- P. 567.
 ‘ ship and conversation,’ says he, ‘ lay much among the
 ‘ good fellows and humourists: and his delights were,
 ‘ accordingly, drinking, laughing, singing, kissing, and
 ‘ all the extravagances of the bottle. He had a set of
 ‘ banterers, for the most part, near him: as, in old time,
 ‘ great men kept fools to make them merry. And these
 ‘ fellows, abusing one another and their betters, were a
 ‘ regale to him. And no friendship or dearness could
 ‘ be so great in private, which he would not use ill and
 ‘ to an extravagant degree in public. No one, that had
 ‘ any expectations from him, was safe from his public
 ‘ contempt and derision; which some of his minions, at
 ‘ the bar, bitterly felt. Those above, or that could
 ‘ hurt or benefit him, and none else, might depend on
 ‘ fair quarter at his hands. When he was in temper,
 ‘ and matters indifferent came before him, he became
 ‘ his seat of justice better than any other I ever saw in
 ‘ his place. He took a pleasure in mortifying fraudu-
 ‘ lent attornies, and would deal forth his severities with
 ‘ a sort of majesty. He had extraordinary natural abi-
 ‘ lities;

' lities; but little acquired, beyond what practice in af-
 ' fairs had supplied. He talked fluently, and with spi-
 ' rit; and his weakness was, that he could not repre-
 ' hend without scolding; and in such billingsgate lan-
 ' guage as should not come out of the mouth of any
 ' man. He called it giving a lick with the rough side of
 ' his tongue. It was ordinary to hear him say, Go;
 ' you are a filthy, lousy, knitty rascal: with much more
 ' of like elegance. Scarce a day passed that he did not
 ' chide some one or other of the bar, when he sat in
 ' chancery: and it was, commonly, a lecture of a
 ' quarter of an hour long. And they used to say, This
 ' is yours; my turn will be to-morrow. He seemed to
 ' lay nothing of his business to heart, nor care what he
 ' did or left undone; and spent, in the chancery court,
 ' what time he thought fit to spare. Many times, on
 ' days of causes, at his house, the company have waited
 ' five hours in a morning, and, after eleven, he hath
 ' come out inflamed and staring like one distracted.
 ' And that visage he put on when he animadverted up-
 ' on upon such as he took offence at, which made him
 ' a terror to real offenders; whom he also terrified with his
 ' face and voice, as if the thunder of the day of judgment
 ' broke over their heads: and nothing ever made men
 ' tremble like his vocal inflictions. He loved to insult;
 ' and was bold without check: but that only when his
 ' place was uppermost (1). — A fine justiciary this!
 worthy, indeed, of the masters he served; and abundantly
 qualified to execute all their designs! — From such
 judges, what had not the public, the honest part of the
 public, to expect?

(1) Life of
 Guildford, p.
 219.

Excessive

trifling offences(EEEE).—And, to fill up the
mea-

(EEEE) *Excessive fines were inflicted for comparatively small offences.*] After the sheriffs and charter of *London* came under the power of the crown; it was determined to make those smart who had opposed its measures. As the judges were sure cards, nothing but proper juries were requisite: and these were soon found out by the sheriffs, whose office it was to return them. ‘These ‘juries,’ according to *Burnet*, ‘became the shame of the ‘nation, as well as a reproach to religion: for they ‘were packt; and prepared to bring in verdicts as they ‘were directed, and not as matters appeared on the evidence(*m*).’ However this was, certain it is, the judges availed themselves of their verdicts; and, in consequence of them, inflicted most heavy penalties on such as were prosecuted at the suit of the crown.—*Pilkington*, late sheriff of the city, on very doubtful evidence, was convicted of reflecting on the Duke of *York* as one concerned in the burning of *London*, and fined 100,000(*n*)*l*. (m) Vol. i. P. 536.

—— Mr. *Hampden*, for a high misdemeanour, was fined 40,000*l*. and committed till paid(*o*). —— Mr. *Braddon*, and Mr. *Speke*, for saying Lord *Effex* was murdered when the king was in the *Tower*, had one 2,000*l*. and the other 1,000*l*. imposed on them; were to find sureties for good behaviour during life; and to be committed till they performed it(*p*). In 1684, the Duke of *York* having brought an action against *Titus Otes*, grounded upon the statute *de scandalis magnatum*, for calling him traitor, the defendant suffered judgment to go against him by default: whereupon a writ of inquiry was taken out, directed to the sheriff of the county of (n) Id. ibid. (o) See his Tryal, printed London, 1684. fol. (p) Tryal, Lond. 1684.

measure of the iniquities of this reign, some
of

(q) Tryal,
Lond. 1684.

(r) Tryal,
Lond. 1684.

Middlesex, to enquire by a jury what damages the plaintiff had sustained hereby; and, upon a motion made in the court of king's bench, a day was given to the defendant to shew cause why that writ should not be executed. But *Otes*, knowing the times, and with whom he had to do, neglected it, as thinking it would be to no purpose. Whereupon the writ on the given day was executed; and the jury gave the duke 100,000*l.* damages, and twenty shillings costs (q). This effectually secured *Otes* for future vengeance. — Mr. *Dutton Colt* had been assessed in the like sum, for scandalous words, against his royal highness, some time before. — Sir *Samuel Barnardiston*, for writing some letters to a friend, in which honourable mention was made of Lord *Ruffel* and Mr. *Sydney*, who had been put to death by the government, and some account given of court transactions, was, on an information by the attorney general in the court of king's bench, convicted, and condemned to pay a fine of 10,000*l.* to the king; find sureties for his good behaviour during life, and committed till it was paid and done (r). — Numberless other convictions there were of a like kind with these; which, as they are to be found in our general histories, I here omit: these being abundantly sufficient to shew what revenge was pursued, and what instruments were made use of, to crush those who had any way disgusted *Charles*, his brother, or his ministers! May *England* never see such times again!

Some

of the best men, and best patriots (FFFF),
that

(FFFF) *Some of the best men, and best patriots, were condemned, and executed, out of a spirit of revenge.]* Those who are conversant in *English* history, will easily guess, that Lord *Ruffel* and *Algernon Sydney* are more particularly meant by this description. They were both, confessedly, men of virtue, probity, and integrity; and the latter had capacity and knowledge sufficient to have qualified him for legislator in any republic in the most antient times. The principles of both these men, tho' different, were very obnoxious to the court. Their spotless manners; their uncorrupt hands; their hatred of popery; and opposition to tyranny; were matters of dread, and reproach, to those who ruled in such corrupt times: and nothing could be more pleasing, to such wretches, than, to find an occasion of cutting them off under the notion of malefactors. The story of what was called, the *Rye-house Plot*, is well known: the measures of administration had alarmed men: and those who could not see, were capable of feeling that matters were but badly managed; and, probably, would be still worse. This gave occasion to much talk; to many projects; and expressions very extravagant and wicked. For amidst a number of men it cannot be, but there will be fools and knaves among them. That there were many very idle and ridiculous discourses concerning taking off the king, and the duke, in clubs and meetings; many foolish things talked of, by warm and zealous men in their cups; is too certain to be denied: but that there were any formed designs, any proper preparations, tho' sworn by many witnesses, is much to be doubted. The

that adorned the age, were tried, condemned,

best evidence we have, for the reality of the plot, arises from the confessions of *Walcot*, *Rouse*, and *Hone*, at their executions; for *Holloway's* hopes of life, I think, in some measure weakens his assertions. — Let us attend then to these. — Captain *Walcot* said, ‘ I confess I was so ‘ unfortunate and unhappy as to be invited, by Colonel ‘ *Rumsey* (one of the witnesses against me), to some ‘ meetings : where something was discoursed of in order ‘ to the asserting our liberties and properties, which we ‘ looked upon to be violated and invaded. But it was ‘ he and Mr. *West*, and some gentlemen that are fled, ‘ who were the great promoters of these meetings. I ‘ was near a quarter of a year ill of the gout; and, during ‘ that time, Mr. *West* often visited me, and still his discourse would be concerning lopping the two sparks; ‘ that was the word he used, meaning the king and the ‘ duke, and proposed it might be done at a play : for, he ‘ said, then they would dye in their calling: it was his ‘ very expression. He bought arms to do it with, without any direction of mine. I never saw the arms; nor ‘ I never saw the men that were to do it: though, they ‘ said, they had fifty employed to that end. I told several of them, that the killing the king would carry ‘ such a blemish and stain with it, as would descend ‘ to posterity : that I had eight children that I was loath ‘ should be blemished with it: and, withal, I was confident the Duke of *Monmouth* would revenge his fathers ‘ blood, if it were but to vindicate himself from having ‘ any hand in it. Mr. *West* presently told me, that the ‘ Duke of *Monmouth* did not refuse to give an engagement

demned, and executed, out of revenge for
past

'ment that he would not punish those that should
'kill the king (s).' *Hone*, a simple weak man, said,
'he was drawn in and ensnared. For,' added he, 'I
'was never at any of their meetings, any of their ca-
'bals; but in a public coffee-house or tavern, where
'they discoursed the matter of fact: and I was to meet
'the King and Duke of *York*; but I did not know at
'that time when, or where, or what was my busi-
'ness (t).' — *Rouse* declared, 'he had been in clubs,
'where it had been in discourse to accommodate *Mon-*
'*mouth*. That there was a design,' continues he, 'to
'set up the Duke of *Monmouth*, I will not say while the
'king reigns; though some extravagant hot-headed
'men have taken upon them to discourse these things,
'but not any worthy man. I know those, that were
'worthy to be called by that name, have declared, in
'my hearing, that, in opposition to the Duke of *York*,
'if the king be seized, they would stand by the Duke of
'*Monmouth* (u).' — All this looks nothing like a
day appointed, and measures taken, for assassinations; as
was sworn by many of the witnesses. But, be this as it
may, it was not in the company of those, who uttered
such things, that *Sydney* or *Ruffel* were to be found.
They were too knowing, too cautious for this. Un-
happily, however, they mixed with bad men; such as
Shaftesbury, *Grey*, and *Howard*: the last of which turned
evidence against them, and was a principal in their de-
struction. — On the testimony of *Rumsey*, Lord
Ruffel was taken up, examined, committed, and tried,

(s) *Speeches*
of *Ruffel*,
Walcot,
Rouse, and
Hone; pub-
lished by or-
der of the
Sheriffs. fol.
Lond. July
21, 1683.

(t) *Ibid.*

(u) *Ibid.*

past actions, or fear of opposition from
them

July 13, 1683, for high treason. The event is well known. The jury, picked out for the purpose, found him guilty; and his majesty would shew him no mercy.

—— What were *Russel's* transgressions in point of law, will be best learnt from the paper he delivered to the sheriffs, on the day of his execution, on the scaffold.

—— ‘ I have always loved my country much more,’ says he, ‘ than my life; and never had any design of changing the government, which I value, and look upon as one of the best governments in the world; and would always have been ready to venture my life for the preserving it; and would have suffered any extremity, rather than have consented to any design to take away the kings life: neither ever had man the impudence to propose so base and barbarous a thing to me. And I look upon it as a very unhappy and uneasy part of my present condition, that in my indictment there should be so much as mention of so vile a fact; though nothing in the least was said to prove any such matter, but the contrary, by the lord *Howard*: neither does any body, I am confident, believe the least of it.’

—— ‘ As to the conspiring to seize the guards,’ says he, ‘ which is the crime for which I am condemned, and which was made a constructive treason for taking away the kings life, to bring it within the Statute of *Ed. III.* I shall give this true and clear account: I never was at Mr. *Sheppards* with that company but once, and there was no undertaking then of securing or seizing the guards, nor none appointed to view or examine them. Some discourse there was of the feasibility

them for the future. Thus did his majesty

‘ nefs of it; and ſeveral times by accident, in general
‘ diſcourſe, elſewhere, I have heard it mentioned as a
‘ thing might eaſily be done, but never conſented to as
‘ fit to be done. And I remember, particularly, at my
‘ Lord *Shaſtesburys*, there being ſome general diſcourſe
‘ of this kind, I immediately flew out and exclaimed
‘ againſt it; and aſked, If the thing ſucceeded, what
‘ muſt be done next, but maſſacring the guards, and
‘ killing them in cold blood? which I lookt upon as ſo
‘ deteſtable a thing, and ſo like a popiſh practice, that
‘ I could not but abhor it. And, at the ſame time, the
‘ Duke of *Monmouth* took me by the hand, and told me,
‘ very kindly, My lord, I ſee you and I are of a temper:
‘ did you ever hear of ſo horrid a thing? — As to
‘ my going to Mr. *Shepherds*, I went with an intention
‘ to taſte ſherry, for he had promiſed me to reſerve for
‘ me the next very good piece he met with, when I went
‘ out of town: and, if he recollects, he may remember,
‘ I aſked him about it, and he went and fetched a
‘ bottle; but when I taſted it, I ſaid, ’twas hot in the
‘ mouth, and deſired, that whenever he met with a
‘ choice piece he would keep it for me, which he pro-
‘ miſed. I enlarge the more upon this, becauſe Sir
‘ *George Jefferies* inſinuated to the jury, as if I had made
‘ a ſtory about going thither: but I never ſaid, that was
‘ the only reaſon; and I will now truly and plainly add
‘ the reſt. I was, the day before this meeting, come
‘ to town for two or three days; as I had done once or
‘ twice before, having a very near and dear relation ly-
‘ ing in a very languiſhing and deſperate condition: and

jeſty reign triumphantly over law, juſ-
tice,

‘ the Duke of *Monmouth* came to me, and told me, he
 ‘ was extreamly glad I was come to town; for my Lord
 ‘ *Shaſteſbury*, and ſome hot men, would undo us all.
 ‘ And how ſo, my lord? I ſaid. Why (answered he)
 ‘ they’ll certainly do ſome diſorderly thing or other, if
 ‘ great care be not taken; and therefore, for Gods ſake,
 ‘ uſe your endeavours with your friends to prevent any
 ‘ thing of this kind. He told me, there would be com-
 ‘ pany at Mr. *Shepherds* that night; and deſired me to
 ‘ be at home in the evening, and he would call me,
 ‘ which he did: and, when I came into the room, I ſaw
 ‘ Mr. *Rumſey* by the chimney, though he ſwears he
 ‘ came in after; and there were things ſaid by ſome
 ‘ with much more heat than judgment, which I did ſuf-
 ‘ ficiently diſapprove; and yet for theſe things I ſtand
 ‘ condemned. But, I thank God, my part was ſincere,
 ‘ and well-meant. It is, I know, inferred from hence,
 ‘ and was preſſed to me, that I was acquainted with theſe
 ‘ heats and ill deſigns, and did not diſcover them. But
 ‘ this is but miſpriſion of treaſon at moſt. So I dye in-
 ‘ nocent of the crime I ſtand condemned for; and I
 ‘ hope nobody will imagine that ſo mean a thought
 ‘ could enter into me, as to go about to ſave my life by
 ‘ accuſing others. — As for the ſentence of death paſſed
 ‘ upon me, I cannot but think it a very hard one: for
 ‘ nothing was ſworn againſt me (whether true or falſe I
 ‘ will not now examine) but ſome diſcourſes about
 ‘ making ſome ſirs. And this is not levying war againſt
 ‘ the king, which is treaſon by the Statute of *Edward*
 ‘ the Third, and not the conſulting and diſcourſing
 ‘ about

tice, and equity; and, with sceptre of
iron,

‘ about it, which was all that was witnessed against me.
‘ But, by a strange fetch, the design of seizing the guards
‘ was construed a design of killing the king; and so
‘ I was cast. And now I have truly and sincerely told
‘ what my part was in that, which cannot be more than
‘ a bare misprision; and yet I am condemned as guilty
‘ of a design of killing the king. I pray God, lay not
‘ this to the charge neither of the king’s council, nor
‘ judges, nor sheriffs, nor jury: and for the witnesses, I
‘ pity them, and wish them well. I shall not reckon up
‘ the particulars wherein they did me wrong; I had ra-
‘ ther their own consciences should do that, to which,
‘ and the mercies of God, I leave them. Only I still
‘ aver, that what I said of my not hearing Col. *Rumsey*
‘ deliver any message from my Lord *Shaftesbury*, was true:
‘ for I always detested lying, tho’ never so much to my
‘ advantage. And, I hope, none will be so unjust and
‘ uncharitable, as to think I would venture on it in these
‘ my last words; for which I am so soon to give an ac-
‘ count to the great God, the searcher of hearts, and
‘ judge of all things.’ ——— This declaration, I sup-
‘ pose, will be believed before the oaths of *Shepherd*, *Rum-*
sey, *Howard*, and the rest of the witnesses; who were,
‘ confessedly, but bad men, and swore to keep themselves
‘ from the gallows. ----- Lord *Grey*, indeed, speaking of
‘ the meeting at *Shepherd’s*, says, ‘ *Montmouth*, *Russel*, and
‘ himself, resolved to engage with *Shaftesbury*; --- and
‘ that they discoursed the manner and time of their rising,
‘ and how they should get their men together (x).’ -----
‘ He moreover says, ‘ there was at this time a discourse,
‘ begun

(x) Secret
History of
the Rye-
house Plot,
p. 32. 8vo.
Lond. 1754.

iron, break down such as were the objects

(y) Id. p. 35.

‘ begun by Sir *Thomas Armstrong*, about viewing the
 ‘ guards at the *Savoy* and *Mews*; which,’ adds he, ‘ all
 ‘ thought necessary, but nobody was ordered to take that
 ‘ employment upon him (y).’ ----- Not content with
 this, he assures us, ‘ there was a second meeting at *Shep-*
 ‘ *herd’s*; where Sir *Thomas Armstrong*, and himself,
 ‘ went first; and *Monmouth*, and *Russel*, came af-
 ‘ ter. Colonel *Rumsey* was not present at our first com-
 ‘ ing in,’ says he, ‘ but Mr. *Shepherd* and Mr. *Fergu-*
 ‘ *son* were. The Duke of *Monmouth* gave my Lord
 ‘ *Russel*, and the rest, an account of viewing the guards,
 ‘ and of the careless posture he found them in; and also
 ‘ that Mr. *Trenchard’s* preparations at *Taunton* were so
 ‘ backward, that he could not be ready for an insurrec-
 ‘ tion (z).’ In short, if we will believe him, Lord *Ruf-*
 ‘ *sel* was intent on little else but insurrections. But no
 stress ought to be laid on *Grey’s* narrative, which was
 writ, when under condemnation, to blacken *Monmouth*
 after his death, and the friends of *Monmouth*, to please
 the king, and add fresh evidence to what the court had
 got to justify very barbarous proceedings. His charac-
 ter, his private character, alone is enough to take off all
 force from his assertions. But were they ever so true,
 they prove only that he was guilty of some discourses
 about making some stir; which was not, could not be
 treason; and, consequently, when put to death for them,
 he was, as he himself expresses it, ‘ killed by forms and
 ‘ subtilties of law; which is the worst sort of murder.’

(z) Id. p. 38.

— *Sydney’s* case was, if possible, still harder. He him-
 self shall relate it; and no man yet has, no man, I pre-
 sume,

jects of his displeasure! But his triumph
was

sume, will call in question the truth of his narrative. In his petition to the king, he sheweth, ' That he was ' brought to his tryal; and the indictment being perplexed and confused, so as neither he, nor any of his ' friends that heard it, could fully comprehend the scope ' of it; he was wholly unprovided of all the helps that ' the law allows to every man for his defence. Where- ' upon he did again * desire a copy, and produced an ' authentic copy of the Statute of 46 *Edward III.* ' whereby it is enacted, that every man shall have a copy of any record that touches him in any manner, as ' well that which is for or against the king, as any other ' person; but could neither obtain a copy of his indictment, nor that the Statute should be read. The jury, by which he was tryed, was not (as he is informed) ' summoned by the bailiffs of the several hundreds in the ' usual and legal manner; but names were agreed upon, ' by Mr. *Graham* and the under sheriff, and directions ' given to the bayliffs to summon them: and being all ' so chosen, a copy of the pannel was of no use to him. ' When they came to be called, he excepted against ' some, for being the kings servants; many others, for ' not being freeholders; and others, were leud and infamous persons, not fit to be of any jury. But all was ' over-ruled by the lord chief justice; and Mr. *Sydney* ' was forced to challenge them peremptorily, whom he ' found to be pickt out as most suitable to the intenti-

* He had desired it on his arraignment, which was a fortnight before his tryal.

was but of a short continuance: he was
seized

ons of those who sought his ruin; whereby he lost the
benefit allowed him by law of making his exceptions,
and was forced to admit of mechanick persons utterly
unable to judge of such a matter as was brought
before them. This jury being sworn, no witness was
produced who fixed any thing beyond hearsay upon
him, except the Lord *Howard*, and them that swore
to some papers said to be found in his house and written
in a hand like his. — *Sydney* produced ten witnesses,
most of them of eminent quality, the others of unblemished
fame, to shew the Lord *Howards* testimony was inconsistent
with what he had declared before (at the tryal of the Lord *Russel*) under the same religious
obligation of an oath, as if it had been legally administered. He further endeavoured to shew, that
besides the absurdity and incongruity of his testimony,
he being guilty of many crimes which he did not pretend
Sydney had any knowledge of, and having no other hope
of pardon than by the drudgery of swearing against him, he deserved not to be believed. And similitude
of hands could be no evidence, as was declared by the Lord
Chief Justice *Keiling*, and the whole court, in the Lady *Carr's*
case; so as that no evidence at all remained against him.
He moreover observed, that, whosoever wrote those papers,
they were but a small part of a polemical discourse, in answer
to a book written, about thirty years ago, upon general propositions;
applied to no time, nor any particular case: that it was impossible
to judge of any part of it, unless the whole did appear, which did not:
that the
sense

seized with a violent fit of an apoplexy,
as

‘ sense of such parts of it as were produced, could not
‘ be comprehended unless the whole had been read,
‘ which was denied: that the ink and paper shewed
‘ them to be writ many years ago: that the Lord *How-*
‘ *ard* not knowing of them, they could have no concur-
‘ rence with what he [*Sydney*] was said to have designed
‘ with him [*Howard*] and others: that the confusion
‘ and errors in the writing, shewed they had never been
‘ so much as reviewed; and being written in an hand
‘ that no man could well read, they were not fit for the
‘ press; nor could be in some years, though the writer of
‘ them had intended it, which did not appear. But they
‘ being only the present crude and private thoughts of
‘ a man, for the exercise of his own understanding in
‘ his studies, and never shewed to any or applied to any
‘ particular case, could not fall under the Statute of
‘ 25 *Edward* III. which takes cognizance of no such
‘ matter, and could not by construction be brought un-
‘ der it; such matters being thereby reserved to the par-
‘ liament, as is declared in the proviso, which he desired
‘ might be read, but was refused. Several important
‘ points of law did hereupon emerge; upon which *Syd-*
‘ *ney* did desire council might be heard, or they might be
‘ referred to be found specially: but all was over-ruled
‘ by the violence of the Lord Chief Justice [*Jefferies*];
‘ and *Sydney* so frequently interrupted, that the whole
‘ method of his defence was broken, and he not suffered
‘ to say the tenth part of what he could have alleged in
‘ his defence: so the jury was hurried into a verdict
‘ they

as it was said, which, after four days, terminated

‘ they did not understand *.’ — We need but turn to the trial of this unfortunate gentleman, published by the authority of *Jefferies* himself, to be convinced of the truth of what he has here written. — I will transcribe a paragraph from the papers produced in evidence against him, that the reader may see what wretches those must have been that condemned him. — ‘ When *Pride*,’ says the writer, ‘ had changed *Nebuchadnezzar* into a ‘ beast, what should persuade the *Affyrians* not to drive ‘ him out among beasts, until God had restored to him ‘ the heart of a man? When *Tarquin* had turned the legal monarchy of *Rome* into a most abominable tyranny; why should they not abolish it? And when the ‘ protestants of the *Low Countries* were so grievously oppressed by the power of *Spain*, under the proud, cruel, ‘ and savage conduct of the *Duke of Alva*; why should ‘ they not make use of all the means, that God had put ‘ into their hands, for their deliverance? Let any man, ‘ who sees the present state of the Provinces that then ‘ united themselves, judge whether it is better for them ‘ to be as they are, or in the condition unto which his ‘ fury would have reduced them, unless they had, to ‘ please him, renounced God and their religion. Our ‘ author [*Filmar*] may say, they ought to have suffered. ‘ The King of *Spain*, by their resistance, lost those countries; and that they ought not to have been judges in ‘ their own case. To which I answer, that, by resist-

* *Sydney's Apology in the day of his death*, p. 191. among his works. 4to. Edit. 1763.

‘ ing,

minated in his death, on the sixth day of
February,

‘ing, they laid the foundation of many churches, that
‘have produced multitudes of men eminent in gifts and
‘graces; and established a most glorious and happy
‘commonwealth, that hath been, since its first begin-
‘ning, the strongest pillar of the protestant cause now in
‘the world; and a place of refuge unto those who, in
‘all parts of *Europe*, have been oppressed for the name
‘of Christ: whereas they had slavishly, and, I think, I
‘may say wickedly as well as foolishly, suffered them-
‘selves to be butchered, if they had left those empty
‘provinces under the power of anti-christ, where
‘the name of God is no otherwise known than to
‘be blasphemed. If the King of *Spain* desired to keep
‘his subjects, he should have governed them with more
‘justice and mercy: when, contrary unto all laws both
‘humane and divine, he seeks to destroy those he ought
‘to have preserved; he can blame none but himself, if
‘they deliver themselves from his tyranny: and when
‘the matter is brought to that, that he must not reign;
‘or they, over whom he would reign, must perish. The
‘matter is easily decided; as if the question had been
‘asked, in the time of *Nero* or *Domitian*, whether they
‘should be left at liberty to destroy the best part of the
‘world, as they endeavoured to do; or it should be ref-
‘cued by their destruction? And as for the peoples be-
‘ing judges in their own case; it is plain, they ought
‘to be the only judges; because it is their own, and
‘only concerns themselves (a).’ — *Jefferies*, in
summing up the evidence, ‘minded the jury how this
‘book contained all the malice, revenge, and treason,
‘that

(a) Sydney's
Tryal, p. 25.
fol. Lond.
1684.

February, one thousand six hundred and eighty

‘that mankind can be guilty of.’ Well might *Sidney* therefore say, ‘lest the means of destroying the best protestants in *England* should fail, the bench must be filled with such as had been blemishes to the bar (b).’

(b) Paper delivered to the Sheriffs.

(c) See his Apology.

Thus the court, under the guise of law, procured the death of a man, who had escaped the hands of assassins employed by them to murder him (c). He could not be corrupted: and, therefore, must be destroyed. — Such were *Charles* and his ministers! It ought moreover to be remembered, that their malice was not satiated by the death they inflicted: for the names of *Russel* and *Sydney* were stigmatized, in the most barbarous manner, by infamous and abandoned sycophants. *Jefferies*, on the trial of *Barnardiston*, observed on his letters, which were given in evidence, — ‘Here is the fainting of two horrid conspirators. Here is the Lord *Russel* fainted, that blessed martyr; my Lord *Russel*, that good man, that excellent protestant; he is lamented. And what an extraordinary man he was; who was fairly tried, and justly convicted and attainted for having a hand in this horrid conspiracy against the life of the king, and his dearest brother his royal highness, and for the subversion of the government. And here is Mr. *Sydney* fainted: What an extraordinary man he was! Yes, surely, he was a very good man: because you may some of you remember, or have read the history of those times, and know what share Mr. *Sydney* had in that black and horrid villany, that cursed treason and murder; the murder I mean of King *Charles* the First of blessed memory; a shame to religion itself, a perpetual reproach

eighty-five, new stile; aged fifty-four
years.

‘reproach to the island we live in, to think that a prince
‘should be brought, by pretended methods of law and
‘justice, to such an end at his own palace. And it is
‘a shame to think that such bloody miscreants should
‘be fainted and lamented, who had any hand in that
‘horrid murder and treason, and who to their dying mi-
‘nutes, when they were upon the brink of eternity and
‘just stepping into another world, could confidently
‘bless God for their being engaged in that *good cause*
‘(as they call it), which was the rebellion, which brought
‘that blessed martyr to his death. It is high time for
‘all mankind, that have any Christianity, or sense of
‘heaven or hell, to bestir themselves to rid the nation of
‘of such caterpillars, such monsters of villany as these
‘are (d).’ — *Sprat* also characterises *Russell* as a per-
son carried away beyond his duty and allegiance into
this traiterous enterprize, by a vain air of popularity,
and a wild suspicion of losing a great estate by an ima-
ginary return of popery. And *Sydney*, according to him,
from his youth had professed himself an enemy to the
government of his country, and had acted accordingly.
— But the characters of both these declaimers are at this
time so well known, that no man of sense pays any re-
gard to their assertions. — After all, it is not to be
doubted that these great men had consulted on methods
of preserving their religion and liberties: though what
was sworn against them concerning insurrections, seiz-
ing the guards, and assassinations, was false and ground-
less. It was the fear the guilty had of these, and men
like these, that urged them on to so much barbarity. —

(d) Trial,
p. 291

years. The suspicions of his being poisoned

After the Revolution, acts were passed for annulling and making void the attainders of both these gentlemen*. — The writers of the *Biographia Britannica*, always ready to vindicate the worst and slander the best of men, according as they adhered to or opposed the cause they so much endeavour to establish, the cause of civil and ecclesiastical tyranny, say, that *Russel* had, by his own confession, committed a crime [by being more than once present when the seizing the guards was discoursed of] which, by the known rules of law, amounted to treason. But by what law, except that of *Jefferies* and his fellows, I suppose, with all their parade of learning, and dogmatical censuring, they would be much at a loss to shew. The same judicious writers, speaking of *Sidney*, with equal sense and honesty, say, ‘To judge by his writings, he would not have been sorry to have seen his country brought to the greatest difficulties; nay, to destruction: that he might have had the pleasure of beholding his enemies involved in its ruins.’ — What must we think of men who write such stuff, false and foolish stuff, as this? Mr. *Trenchard*, Mr. *Gordon*, and the late Earl of *Corke*, as is well known, besides many others equally respectable, had very different notions of him and his writings. — It may, perhaps, be wondered that I have not, hitherto, mentioned the death of Lord *Essex*, in the *Tower*, where he was a prisoner, on a charge of being concerned in this conspiracy: but whether he

* Collins's Peerage, vol. i. p. 285; and Memoirs of the Sydneys, p. 160, prefixed to the first volume of the Sydney papers. fol. Lond. 1745.

murdered

murdered himself, or was murdered by others, I take not on me to determine. I will, however, state the arguments, on both sides, with all the impartiality I am master of; it being truth, simply, which an historian ought to have in view.

1. 'It gave great suspicion of his being murdered, as the King and the Duke of *York* were, at the very time, within the *Tower*, where they had not been for near 15 years before. And when the jury was impanel'd, and one of them insisting to see his lordships' cloaths in which he died; the coroner was sent for, and, on his return, he told the jury, it was the body and not the cloaths they were to sit on; and that the king had sent for the inquisition, and would not rise from the council-board till it was brought. It also happened on the very morning when the Lord *Russel* was on his tryal, and particular care was taken to give immediate notice of it to the court at the *Old Bailey*; and the kings council made a direct use of it to confirm the plot, and thereby Lord *Russel* was condemned. After the Revolution, the Earls of *Devonshire*, *Bedford*, *Monmouth*, and *Warrington*, were appointed, by the house of peers, to examine into the death of *Essex*; but made no report to the house; it being said, that, on the examination, it appeared so black on King *James*, that Queen *Mary* requested it might die in silence (e).'

(e) Collins's
Peerage, vol.
iii. p. 376.

2. *Rapin* assures us, Lord *Essex*, son of this unfortunate nobleman, said, in his hearing, 'that he believed his father was murdered; and that a French footman, who then served his father, was strongly suspected, and disappeared immediately after the fact (f). — This

(f) Hist.
vol. ii. p.
729. fol.

seems to be confirmed by the following anecdote. —

‘ *Harry Guy* was then secretary to the treasury, and a
 ‘ sure agent to the king, or duke, if any dirty work was
 ‘ to be done. He paid and dispersed the secret-service
 ‘ money, of which payments he kept a regular account
 ‘ in a book which is still extant, and now is (1762), or
 ‘ lately was, in the possession of a gentleman of *Chelsea*,
 ‘ who made no scruple of shewing it to particular per-
 ‘ sons. In this book of accounts appears a minute of
 ‘ 500*l.* paid to one *Bomini*, a valet de chambre of the
 ‘ Earl of *Essex* during his lords confinement in the *Tower*,
 ‘ and previous to his death. This *Bomini* was never
 ‘ heard of after the earls death (g)’ — There was
 ‘ a *Paul Bomeny*, servant to his lordship, who, before the
 ‘ coroner, swore, ‘ that he, looking through a chink,
 ‘ saw blood, and part of a razor; whereupon he called
 ‘ a warder, and went down to call for help: and the
 ‘ warder pushed the door open, and there they saw *Es-*
 ‘ *sex* all along the floor, without a perriwig, and all full
 ‘ of blood, and the razor by him, which razor had be-
 ‘ fore been delivered by him to his lordship (b). —

(g) Grey's
 Debates, vol.
 viii. p. 342.
 in the note.

(b) Brad-
 don's inno-
 cency and
 truth vind-
 cated, p. 5.
 4to. Lond.
 1681.

The same person appeared on the trial of *Braddon*, and
Speke, who had given out, on doubtful evidence, that
Essex was murdered; and therefore cannot, with exact-
 ness, be said never to have been heard of after the earl's
 death: though, doubtless, the sum given him was for
 some very particular reason.

3. ‘ By many eminent doctors and chirurgions, the
 ‘ wound was thought to be naturally impossible to be
 ‘ done by *Essex* himself; because, upon cutting the first
 ‘ jugular artery, such an effusion of blood and spirit
 ‘ would have immediately thereupon followed, that na-
 ‘ ture would not have been strong enough to cut through
 ‘ the other jugular artery to the neck bone on the other
 ‘ side;

‘ side; much less to make so many and so large notches
 ‘ in the razor against the neck bone (i).’ ——— Let us (i) Id. p. 99.
 now hear what is said on the other side of the question.

I. ‘ As to the late Earl of *Essex*’s murdering himself,
 ‘ his majesty,’ says *Sprat*, ‘ cannot think it becomes him
 ‘ to descend to any particular justification of his own or
 ‘ his ministers innocency in that calamitous accident.
 ‘ Though his majesty is not ignorant, that divers most
 ‘ malicious pamphlets have been lately spread abroad, in
 ‘ *English* and other languages, which, with an unparal-
 ‘ lel’d impudence, have accused several persons of emi-
 ‘ nent virtue and honor about his majesty, not sparing
 ‘ even his royal highness; nay, scarce freeing the king
 ‘ himself from being personally conscious of so base and
 ‘ barbarous an action. But after the truth of the whole
 ‘ matter has been carefully examined and asserted by the
 ‘ coroners inquest, whose proper business it was; and
 ‘ after *Braddon* has suffered the punishment of the law,
 ‘ for suborning even children to bear false witness in the
 ‘ case; and after the notoriety of the fact, and all the
 ‘ circumstances of it, have been so clearly made out,
 ‘ that there is not a man in all *England*, of an honest
 ‘ mind or sound sense, who does in the least doubt it;
 ‘ his majesty disdains to enter into dispute with every
 ‘ petulant scribler, or to answer the villanous suggestions
 ‘ and horrid calumnies contained, particularly, in the
 ‘ libel, called, *The Detection*, and in the *Epitome* of
 ‘ it. ——— As for the deplorable end of the said earl,
 ‘ his majesty freely owns, there was no man in his do-
 ‘ minions more deeply afflicted with it than himself:
 ‘ his majesty having been thereby deprived of an extra-
 ‘ ordinary opportunity to exercise his royal clemency;
 ‘ and to testify, to all his loyal subjects and old friends,

‘ how highly he valued the memory and sufferings of the
 ‘ Lord *Capel*. Next to himself, his majesty thinks he is
 ‘ also bound, in common justice, to declare, that his
 ‘ entirely beloved brother was most tenderly concerned
 ‘ and grieved at that lamentable effect of the Earl of
 ‘ *Essex*’s despair: his majesty being best able, upon his
 ‘ own knowledge, to vouch for the Duke of *York*, that
 ‘ he never deserved ill of the said earl, and was always
 ‘ most readily inclined, for both their fathers sakes, to

(k) Account
 of the Con-
 spiracy, p.
 145, & seq.

‘ have forgiven whatever ill the earl had done him. (k).’

2. It does not appear that *Essex*’s brother, or his lady, believed that he was murdered. Sir *Henry Capel* did not want sense or spirit; and Lady *Essex* had much fortitude of mind. ‘ When she heard of the reports concerning ‘ the manner of her lords death, she ordered a strict en- ‘ quiry about it; and sent what she found to me,’ says *Burnet*, ‘ to whom she had trusted all the messages that ‘ had past between her lord and her while he was in the ‘ *Tower*. When I perused all, I thought there was not ‘ a colour to found any prosecution on; which she would ‘ have done, with all possible zeal, if she had found any ‘ appearances of truth in the matter (l).’ — After

(l) Vol. ii.
 p. 569.

the Revolution, this matter came under examination; and the lords of the committee, appointed to hear and report, were such as must have had the memory of *Essex* in honor: but no report was made; and, consequently, no proofs of his murder appeared: for tenderness for King *James* had little place with their lordships, or his daughters. Nor was there, indeed, any manner of occasion for it: they had, in fact, judged him a tyrant by placing his crown on the head of another; and tyranny includes almost every kind of wickedness, at least

least is equivalent in demerit to all wickedness. What cause for tenderness of the reputation of such a man?

3. Though *Braddon* appears to have been an honest man, and to have meant well by his enquiries into the circumstances of this unhappy affair; yet were the materials he collected sometimes not absolutely to be relied on. This appears from the following certificate, published in the *Gazette*, after the Revolution, by the Countess of *Essex*, and the Bishop of *Salisbury* [*Burnet*].

‘Whereas in a Letter to a Friend, written by Mr. *Laurence Braddon*, touching the murder of the late Earl of *Essex*, an account is given, p. 54 & 55, of some discourse that the Countess Dowager of *Essex*, and the Bishop of *Salisbury*, had upon that subject, at a meeting with several lords: the Countess Dowager, and the Bishop, find themselves so much wronged in that relation, that they have thought it became them to disavow it entirely; the whole discourse fastened on them being false, and nothing to that purpose having been upon that occasion mentioned by either of them (m).’

(m) *Gazette*,
No. 2579.

‘July 24, 1690. E. ESSEX, GI. SARUM.’

After this, we must not expect much reliance on *Braddon*’s authorities.

4. In the Diary of *Henry*, Earl of *Clarendon*, we find these words: ‘May 27 [1689], Monday, — In the afternoon, my wife and I went to *Chelsea*, to the Duchess of *Beaufort*; whom we found alone. She told me the whole story, how Lady *Essex* had sent for her and her lord, and all the relations, Lord *Bedford*,

Bb 4

‘*Devonshire*,

soned will be found below (GGGG). —

The

‘*Devonshire*, Bishop *Burnet*, and young Mr. *Hampden*,
 ‘ about the matter relating to Lord *Essex*’s death, now
 ‘ depending before the committee of lords ; that she had
 ‘ declared, she believed he killed himself ; and there-
 ‘ fore desired the business might fall. She told me,
 ‘ *Burnet* and *Hampden* both owned the conspiracy
 ‘ against King *Charles* the Second. I should have been
 ‘ there if I had been in town. Brother *Capel* excused
 ‘ himself, pretending to be indisposed ; which looked
 ‘ very odd (n).’ — The reader has now sufficient
 materials to form a judgment of this much controvert-
 ed fact.

(n) Diary
 at the end
 of his State
 Letters.

[GGGG] *The suspicions of his being poisoned are to be
 mentioned.*] ‘There were very many apparent suspicions,’
 says *Burnet*, ‘of his being poisoned : for though the
 ‘ first access looked like an apoplexy, yet it was plain in
 ‘ the progress of it that it was no apoplexy. When
 ‘ his body was opened, the physicians who viewed it
 ‘ were as it were led by those who might suspect the
 ‘ truth to look upon the parts that were certainly
 ‘ found. But both *Lower* and *Needham*, two famous
 ‘ physicians, told me, they plainly discerned two or
 ‘ three blue spots on the outside of the stomach. *Need-*
 ‘ *ham* called twice to have it opened : but the surgeons
 ‘ seemed not to hear him. And when he moved it the
 ‘ second time, he, as he told me, heard *Lower* say to
 ‘ one that stood next him, *Needham* will undo us, call-
 ‘ ing thus to have the stomach opened ; for he may see
 ‘ they will not do it. They were diverted to look to
 ‘ somewhat else : and when they returned to look upon

The impious, profligate manners, introduced

‘ the stomach, it was carried away : so that it was never viewed. *Le Fevre*, a *French* physician, told me, ‘ he saw a blackness in the shoulder : upon which he ‘ made an incision, and saw it was all mortified. *Short*, ‘ another physician, who was a papist, but after a form ‘ of his own, did very much suspect foul dealing : and ‘ he had talked more freely of it than any of the protestants durst do at that time. But he was not long ‘ after taken suddenly ill, upon a large draught of ‘ wormwood wine, which he had drunk in the house ‘ of a popish patient that lived near the *Tower*, who had ‘ sent for him, of which he died. And, as he said to *Lower*, ‘ *Millington*, and some other physicians, he believed ‘ that he himself was poisoned for his having spoken so ‘ freely of the kings death. The kings body was indelicately neglected. Some parts of his inwards, and ‘ some pieces of the fat, were so carelessly looked after, ‘ that the water being poured out at a scullery hole ‘ that went to a drain, in the mouth of which a grate ‘ lay, these were seen lying on the grate many days after. His funeral was very mean. He did not lie in ‘ state : no mournings were given : and the expence ‘ of it was not equal to what an ordinary noblemans ‘ funeral will amount to. Many upon this said, that he ‘ deserved better from his brother than to be thus ungratefully treated in ceremonies that are public, and that make ‘ an impression on those who see them, and who will make ‘ severe observations and inferences upon such omissions. ‘ But since I have mentioned the suspicions of poison as ‘ the cause of his death ; I must add, I never heard any ‘ lay

duced or countenanced by him, will, for ever,

‘ lay those suspicions on his brother. But his dying so
 ‘ critically, as it were in the minute in which he seem-
 ‘ ed to begin a turn of affairs, made it to be generally
 ‘ the more believed, and that the papists had done it, ei-
 ‘ ther by the means of some of Lady *Portsmouths* ser-
 ‘ vants, or, as some fancied, by poisoned snuff: for so
 ‘ many of the small veins of the brain were burst, that
 ‘ the brain was in great disorder, and no judgment could
 ‘ be made concerning it. To this I shall add a very
 ‘ surprising story, that I had, in *November*, 1709, from
 ‘ Mr. *Henly* of *Hampshire*. He told me, that when the
 ‘ *Duchess* of *Portsmouth* came over to *England*, in the
 ‘ year 1699, he heard, that she had talked as if King
 ‘ *Charles* had been poisoned: which he desiring to have
 ‘ from her own mouth, she gave this account of it: —
 ‘ She was always pressing the king to make both him-
 ‘ self and his people easy, and to come to a full agree-
 ‘ ment with his parliament; and he was come to a final
 ‘ resolution of sending away his brother and of calling a
 ‘ parliament, which was to be executed the next day
 ‘ after he fell into that fit of which he died. She was
 ‘ put upon the secret, and spoke of it to no person alive
 ‘ but to her confessor: but the confessor, she believed,
 ‘ told it to some, who, seeing what was to follow, took
 ‘ that wicked course to prevent it (a). — It appears,
 ‘ indeed, by some passages out of the Duke of *Monmouth’s*
 ‘ pocket book, that he had assurances of being taken
 ‘ into favour, and of the Duke of *York’s* removal from
 ‘ court (p). — However, we are to observe, that all
 ‘ the circumstances attending the death of *Charles*, and
 ‘ what

(a) Vol. i.
 p. 609; and
 Sheffield’s
 Works, vol.
 II. p. 60.

(p) Appen-
 dix to Wel-
 wood’s Me-
 moirs, No.
 24.

what happened on the inspection of his body, are far enough from amounting to a proof of his being poisoned: for, notwithstanding all of them, he might die merely through disease; at least this is Dr. *Welwood's* opinion. It must not be omitted, that the part of *Burnet's* narrative, which he received from Mr. *Henly*, galled the late Lord *Landfdown*; an able determined friend, as far as he dared, to the *Stuart* family; so much, as to make him speak of the bishop in terms very indelicate.

—— ‘The bishops hear-says,’ he observes, ‘are, in
‘most cases, very doubtful. His history is little else but
‘such-a-one told such-a-one, and such-a-one told me.
‘This sort of testimony,’ continues he, ‘is allowed in
‘no case; nor can the least certainty be built upon sto-
‘ries handed about from one to another, which must
‘necessarily alter in the several repetitions by different
‘persons. I shall then conclude with one observation
‘only upon the most important hear-say in his whole
‘book, upon which the credit of the rest may depend.
‘His lordship had it from Mr. *Henly*, who had it from
‘the Duchess of *Portsmouth*, that King *Charles* the Se-
‘cond was poisoned. It was my fortune to be residing
‘at *Paris* when this history was published. Such a par-
‘ticular was too remarkable not to raise my curiosity.
‘The duchess was then likewise at *Paris*. I employed
‘a person, who had the honor to be intimate with her
‘grace, to enquire from her own mouth into the truth
‘of this passage. Her reply was this: That she recol-
‘lected no acquaintance with Mr. *Henly*; but she re-
‘membered well Dr. *Burnet* and his character. That the
‘king, and the duke, and the whole court, looked upon
‘him as the greatest liar upon the face of the earth;
‘and

(q) Works,
vol. ii. p. 177.

‘ and there was no believing one word that he said. I
 ‘ only repeat the answer I received : far be it from me to
 ‘ make any such reflexion (q).’ — This very courtly
 language of the lady’s was intended by his lordship as a
 full answer to the bishop’s hearsay. What sort of an
 answer it is, appears from the remarks made on it by a
 very sensible writer, to whom his lordship had the wit
 to make no reply. — ‘ When an historian,’ says he,
 ‘ whose book was in the hands of all mankind, had
 ‘ charged her grace with having said to others, as well
 ‘ as Mr. *Henly*, that she believed King *Charles* was poi-
 ‘ soned; and this fact was designedly enquired into, in
 ‘ order to falsify the historian; was it possible to have
 ‘ it more strongly established? Does her grace even
 ‘ pretend to deny, that she believed King *Charles*
 ‘ was poisoned? Does she affirm (which if the thing
 ‘ was false she might safely have done) that she never
 ‘ told any person that the king was poisoned? Nay,
 ‘ does she so much as to take upon her to say, that she
 ‘ never gave Mr. *Henly* such an account? These might
 ‘ have been offered as contradictions to the bishops
 ‘ hearsay; but, surely, the bare not recollecting an ac-
 ‘ quaintance with Mr. *Henly*, is none. It was not ne-
 ‘ cessary he should have such an acquaintance in order
 ‘ to enquire into the truth of a story, of which the
 ‘ *Duchess of Portsmouth* was reported the author: the
 ‘ meeting her grace in a visit, at a third place, was a
 ‘ sufficient opportunity for putting such a question to
 ‘ her. As to the character she gave of Dr. *Burnet*,
 ‘ as from the king and the duke (were there no objec-
 ‘ tion to her grace’s testimony), princes are so seldom
 ‘ acquainted with the real characters of men who are
 ‘ odious

ever, mark his reign with infamy (HHHH).

‘ odious to their ministers ; and when they are incensed
 ‘ against a man, are apt to indulge themselves in such
 ‘ liberties, that, I believe, their calling Dr. *Burnet* a
 ‘ liar, will be understood, by men of sense, to import
 ‘ no more, than that he had spoken truths to them
 ‘ which they were no ways inclined to believe or hear.
 ‘ One of these, mentioned in the history, was so con-
 ‘ trary to the duchess’s interest, that it may, possibly,
 ‘ have given her a prejudice against the bishop (r).’

—— These reflexions, in my opinion, are very judicious.

(r)Remarks
 on Land-
 down’s Let-
 ter, p. 19.

(HHHH) *The impious profligate manners, introduced or countenanced by him, will mark his reign with infamy.*]
 Few courts have been free from Vice. The manners of *James* and *Charles I.* were far enough from being irreproachable : but they were willing to seem good, and to be thought religious ; as appears from the form of devotion they kept up, and the noise they made about the manner of performing it. Those who succeeded them, in the management of public affairs, talked much of religion also ; and countenanced such as most strictly professed it : so that, with them, it was fashionable to appear devout ; and to talk much of the concerns of the soul. Hence the charge of hypocrisy so indiscriminately advanced against them. —— But be the thing true, or false ; certain it is, there was the appearance, at least, of religion and virtue in the nation at the Restoration ; and men, for the most part, did not glory in their shame. For where administration does not countenance profligates, profligacy will never be in vogue. —— But no
 sooner

sooner had *Charles* the Second returned, than the face of things altered. Religion became a jest; and virtue was mocked at: and those were most favoured by his majesty, who ridiculed every thing good and sacred. This is borne witness to by writers of all parties: by men of all professions. — ‘With the restoration of the King, a spirit of extravagant joy spread over the nation, that brought on with it the throwing off the very professions of virtue and piety: all ended in entertainments and drunkenness, which over-run the three kingdoms to such a degree that it very much corrupted all their morals. Under the colour of drinking the kings health, there were great disorders and much riot every where: and the pretences of religion, both in those of the hypocritical sort, and of the more honest but no less pernicious enthusiasts, gave great advantages, as well as they furnished much matter, to the profane mockers of true piety. Those who had been concerned in the former transactions, thought they could not redeem themselves from the censures and jealousies that those brought on them, by any method that was more sure and more easy, than by giving into the stream and laughing at all religion, telling or making stories to expose both themselves and their party as impious and ridiculous (s).’ —

Mr. *Echard* says, ‘the year of the Restoration produced jovial entertainments, loyal remembrances, free conversation, amorous intrigues, refined courtship and gallantry, with other softening and fashionable expressions, which served to cover the most enormous viciousness in the court and other places. All which was encouraged and promoted by the licentiousness

(s) Burnet,
vol. i. p. 92.

‘ousness of the two new-erected theatres or play-houses, where there seemed to have been very little restraint, and where a new custom was now introduced of bringing in women upon the stage, which before had been personated by boys or young men. Thus the felicity of the times was first sullied, and afterwards corrupted; so as, by degrees, to bring insupportable inconveniences upon the nation (t).’ —

(t) Vol. ii.
P. 41.

Wood, speaking of Lord *Rocheſter*, observes, ‘that, at his return from his travels, he frequented the court; which not only debauched him, but made him a perfect Hobbiſt * (u).’ The ſame writer, in the article of *Fleetwood Sheppard*, ſays, ‘After his majeſty’s reſtoration he retired to *London*, hanged on the court, became a debauchee and atheiſt, a grand companion with *Charles Lord Buckhurſt*, *Henry Saville*, and others. After *Eleanor Guinn* had a natural ſon by King *Charles II.* he became her ſteward; and afterwards to that natural child, called, *Charles Earl of Burford* (ſince Duke of *St. Albans*); and managed all their concerns. So that, by that employment, coming to the knowledge of the ſaid king, he became one of his companions in private to make him merry, at the *Duchefs of Portſmouth’s*, *Cheſſings’s*, and *Bap. May’s* (x). — Even *Clarendon* himſelf, bigotted and partial as he is, owns, ‘the king took little pleaſure in the queens converſation; and more indulged to himſelf all liberties in the converſation of thoſe who uſed all their ſkill to ſupply him with divertiſements, which might drive all that was ſerious out of his thoughts (y).’

(x) *Athenæ*, vol. ii.
c. 654.

(x) *Id.* c.
1039.

(y) *Continuation*, vol. iii. p. 641.

* *Sorbiere* informs us, that his majeſty gave *Mr. Hobbes* a yearly penſion of a hundred *Jacobus’s*; and kept a copper cut of his picture in his cloſet of natural and mechanical curioſities. *Voyage to England*, p. 39. 8vo. *Lond.* 1709.

In

In another place, he says, ' that the constant conver-
 ' sation with men of great profaneness, whose wit con-
 ' sisted in abusing scripture, and in repeating and acting
 ' what the preachers said in their sermons, and turning it
 ' into ridicule (a faculty in which the Duke of *Buck-*
 ' *ingham* excelled), did much lessen the natural esteem
 ' and reverence he [the king] had for the clergy; and
 ' inclined him to consider them as a rank of men that
 ' compounded a religion for their own advantage, and
 ' to serve their own turns (z).' This same *Buckingham*,

(z) Id. p.
683.

we are told, ' reported all the licence and debauchery
 ' of the court in the most lively colours, being himself

(a) Id. p.
701.

' a frequent eye and ear witness of it (a).'

— ' Those who heretofore sought private holes,

' Securely in the dark to damn their souls,

' Wore vizards of hypocrisy, to steal

' And sink away, in masquerade, to hell;

' Now bring their crimes into the open sun,

' For all mankind to gaze their worst upon.

* * * * *

' For men have now made vice so great an art,

' The matter of fact's become the slightest part;

' And the debauched'st actions they can do,

' Meer trifles to their circumstance and show.

' For 'tis not what they do that's now the sin,

' But what they lewdly affect and glory in;

' As if prepost'rously they would profess

' A forc'd hypocrisy of wickedness.' BUTLER (b).

(b) Works,
by Thyer,
vol. 1. p. 72.
8vo. Lond.
1759.

More modern writers make the same complaint of the
 obscenity introduced in this reign.

' In the fat age of pleasure, wealth, and ease,

' Sprung the rank weed, and thriv'd with large increase;

' When

' When love was all an easy monarch's care ;
 ' Seldom at council, never in a war :
 ' Jilts rul'd the state, and statesmen farces writ ;
 ' Nay, wits had pensions, and young lords had wit :
 ' The fair sat panting at a courtier's play,
 ' And not a mask went unimprov'd away :
 ' The modest fan was lifted up no more,
 ' And virgins smil'd at what they blush'd before.'

POPE (c).

(c) Essay on
 Criticism.
 In Warbur-
 ton's edit.
 1756.

' *Charles*, says Mr. *Walpole*, 'introduced the fashions
 ' of the court of *France*, without its elegance. He had
 ' seen *Lewis XIV.* countenance *Corneille*, *Moliere*, *Boi-*
 ' *lieu*, *Le Sueur*; who, forming themselves on the mo-
 ' dels of the antients, seemed, by the purity of their
 ' writings, to have studied only in *Sparta*. *Charles*
 ' found as much genius at home: but how licentious,
 ' how indelicate, was the style he permitted or demand-
 ' ed! *Dryden's* tragedies are a compound of bombast
 ' and heroic obscenity, inclosed in the most beautiful
 ' numbers. If *Wycherly* had Nature, it is Nature stark-
 ' naked. The painters of that time veiled it but little
 ' more: Sir *Peter Lely* scarce saves appearances but by
 ' a bit of fringe or embroidery. His Nymphs, generally
 ' reposed on the turf, are too wanton and too magnifi-
 ' cent to be taken for any thing but maids of honour (d).'

— What more need be said on this subject? The
 witnesses are unanimous: the fact uncontroverted.
 Let us leave him then a warning, to posterity, of the
 danger arising from bad principles in a sovereign; and
 the woes to be expected from men void of humanity and
 virtue, when in power. Their vices affect not merely
 themselves: they alone are not hurt by them. The
 community is infected as with a deadly leprousy,

(d) Anec-
 dotes of
 Painting,
 vol. iii. p. 2.
 4to. 1763.

which descends to posterity : and though, by the virtue of their successors, the disorder for a time may be palliated ; it seldom is wholly cured : but, as opportunity offers, breaks forth with new violence, and hardly ever fails of terminating in destruction.



APPEN-

A P P E N D I X

O F

ORIGINAL PAPERS.

Nº. I.

(Communicated by the Hon. *Horace Walpole*, Esq;)

*For my worthy Friend Capt. John Dunche at his Fathers
att Peusey near Abington in Berkshire.*

These

Whitehall Aug. 28th, —58,

R. CROMWELL.

Sr.

I Received your last sad intelligence of the death of *St. Barbe* and his lady. I am perswaded they are oute of a troublesome worlde, and certainly happy: the losse is not soe much theires, as there neighbours. The stroake of death is soe forcible that the strongest cannot stand againste itt, noe weapons of the flesh to encounter the grave, they must be spirituall. Such I hope they had (by the grace of God) to make a victory, to chearge through unto the place of there wishes and glory. His friendship will make me to rejoyce in his & his wyfe's happyness. It is a provi-

C c 2

dentiall

dentiall stroake and ought to teache the moste healthy
 & happy. I am fully p'swaded the country hath a
 losse in him, and I also, they as wanting one that
 would assist them in difficulties, I in a friende; I wante
 not a for him, nor I hope shall not for the
 countrye's sake. I intended to have written to you by
 the firste returne but was disappointed: and sence his
 highnesse hath been soe ill that I have not had either
 oppertunity or desire to sett pen to paper; we have not
 been without very greate feares; for his highnesse's illnesse
 hath been such as hath put the physishians to a non-
 plus. Our hopes are somewhat increased by this fitt
 of an ague, and shall it please God to goe on with his
 gentle hand and bring him temperately oute of this fitt,
 and not renew att the time his former fitt began or vi-
 set us with a quartaine, we shall have some reviving
 comforte, and cause to magnifie his goodnesse it, being a
 new life to his highnesse & the affaires as they now
 stand of this nation, with the protestant interest of
 Christendom. I believe the rum^r of this dangerous ill-
 nesse hath flowen into all p^t of this nation and hath
 caused severall persons of ill affections to prick up there
 eares, which will cause friends to be vigilant, for they
 will hope they have a gaime to play; It is a time that
 will discover all coloures and much of the disposition of
 the nation may be now gathered. I heare that those
 that have been enemyes, others that have been noe
 friends, some of boeth are startled fearing there posses-
 sions and worser conditions, not considering there af-
 fection, in this hazard his highnesse is in. It must be
 the goodnesse of God that shall save him, and his know-
 ledge of the state of *England* and Xtchiandome; the
 spirritt of prayer which is powered out for him & the
 faith

faith which is acted on behalf of him gives us the beste comforte & hopes: myne & my wyfe's respects to your fa. and mother. I rest yours

R. CROMWELL.

*To my loving Friend Capt. John Dunche, att Hurseby
neare Winchester in Hants. These.*

From his Highnesse.

Whitehall, Jan. 18, —58.

Sr.

I Have written to your brother *Pitman* (which letter I advise may speed by your care of sending it, to what place it shall finde him) to incurridge the election of Mr. *Rivet*, whoe though chosen after the dispute of Mr. *Whitehead* & *Reynolds*; yet is conceived to be the better election then either the other tow: and ought to be returned, for that it was a generall and free choyce of the electors of that place: and the dispute will not lye with *Rivet*: but I am informed that *Whitehead* will question that of *Reynolds* which hath a ground to be disputed, *Whitehead* being able to lett himselfe in upon the choyce which is made at *Limington*; pray advise also with my fa: *Major* & with *Rivet*; & if it be as we understand the election here, then cause a returne to be made of that choyce either by *Rivet's* appearing, or doe it by yourself or others. The second parte of my letter is that your brother would appear at *Whitechurch*, for certainly *W.* nor the burrowgh can justifie, he taking a blanche instrument from the place, & they forgiving him such unjustifiable power & liberty. I would have you to see whether y^r. brother can get himselfe in by a free and

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open

open choyce, which will be justified before that way of *Wallop's*.

Remember me to my father and mother *Majors*, & my sister, with one kisse to my little boye, having nothing more but rest

Yours

I think we can justifie *Whitechurch* as well as *Wallop*, if you choose one, you may choose tow, & that Dr. *Walker* may be the other, or rather *Withers* of *Manningdowne* whoe is an active man, and one that *Wallop* hath dis-abled. It is certaine the towne is free to choose, if it be as we are informed.

RICHARD P.

Nº. II.

(Communicated by the late Rev. Dr. *Birch*, Secretary to the Royal Society.)

Copy of a letter of J. Aprice, a Romish Priest, to Mr. William Lynwood, at his house in Deane, Northamptonshire.

Dear Brother,

Feb. 16, 1685.

THE great change, which is made in our nation, since I wrote to you, is the wonder of all men. If we consider, that 'tis the divine providence, that rules over kingdoms, & the hearts of men, we should the less wonder. Who could have say'd a while ago, that these eyes of mine should have seen two catholick kings reign
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over us in this nation? But that God, who preserv'd our late king of blessed memory by so many wonderfull miracles, all his lifetime, did also at his death call him to his mercy, by making him to be reconciled to his holy church, which he did in this manner. The day he fell ill, which was the *Monday*, he was no sooner recovered of his fit, but his trusty loving brother, our now most gracious sovereign, fearing a relapse, put him in mind of his soul; which advice he immediately embraced, and desired no time might be lost in the execution of it. Whereupon Mr. *Huddleston* was commanded to attend instantly thereabouts: but the great affairs of the nation coming perpetually before him, time could not possibly be found till *Thursday*. But the king finding his natural strength decay, commanded of his own accord all to retire out of the room, telling them, that he had something to communicate to his brother. Then Mr. *Huddleston* being brought in, that great work was done, & with that exactness, that there was nothing omitted either necessary or decent; &, as Mr. *Huddleston* himself has told me, by a particular instance of God's grace, the king was as ready and apt in making his confession, & all other things, as if he had been brought up a catholick all his life time: & from that moment till eight of the clock the next day, att which time his speech left him, he was heard to say little but begging Almighty God's pardon for all offences & the like; so that we may joyfully say, God have mercy of his soul, & make him eternally participant of his kingdom of heaven.

As for our present king, he dayly gives us by his actions new hopes of a great deal of future happiness; for besides the great content & satisfaction, which seems to

be in every body here, we in particular have reason to praise God for giving him so much courage and resolution to confess his faith publicly, as he did yesterday in a most eminent manner; for on *Friday* last he declared to the councell, that he was resolved to make known publicly to the world of what religion he was: and yesterday he came with the queen to the chapell, attended by all the nobility & gentry about court, & there received together with the queen from the hands of her almoner the most precious body and blood of our Saviour, with as much devotion as I ever saw in any man; & heard all the time upon his knees two long masses.

This ceremony I saw & will allways esteem the day holy, whereon it was done; for above this 126 years the like has not been seen in *England*.

The mayor and aldermen of *London* came on *Saturday* last with an address to the king in the name of the city, wherein they promise to stand by him with their lives & fortunes, which I hope will be a good example to all others to do the like.

This is all but my true love to my dear sister, & all yours.

From, dear brother,

Your affectionate brother and servant,

J. APRICE.

(The original letter is now in the hands of Mrs. *Eyre* of *Stamford*: and *J. Aprice*, above-mentioned, was a romish priest, and relation of hers; as was also Mr. *Lynwood*, to whom the letter was written.)

A copy

N°. III.

A copy of a letter from the Duchefs of Cleveland to King Charles II. From the original, now in the hands of the Earl of Berkshire, 1731. Harleyan Manuscripts, N°. 7006.

Paris, Tuesday the 28th, —78.

I Was never so surprized in my holle life time as I was at my coming hither, to find my Lady *Suffex* gone from my house and monastery where I left her, and this letter from her, which I here send you the copy of. I never in my holle life time heard of such government of herself as she has had, since I went into *England*. She has never been in the monastery two days together, but every day gone out with the ambassador (a), and has often lain four days together at my house, and sent for her meat to the ambassador, he being always with her till five o'clock in the morning, they two shut up together alone, and would not let my maistre d'hôtel wait, nor any of my servants, only the ambassadors. This has made so great a noise at *Paris* that she is now the holle discourse. I am so much afflicted that I can hardly write this for crying, to see a child that I doted on as I did on her, should make me so ill a return, and join with the worst of men to ruin me. For sure never malice was like the ambassadors, that only because I would not answer to his love, and the importunities he made to me, was resolved to ruin me. I hope your majesty will yet have that justice and consideration for me, that though I have done a foolish action, you will not let me be ruined by this most abominable man. I do confess to you that I did write a foolish letter to the

Chevalier

(a) Ralph Mountague, afterwards Duke of Mountague.

Chevalier de *Chatilion*, which letter I sent inclosed to Madam de *Pallas*, and sent hers in a packet I sent to Lady *Suffex* by Sir *Henry Tichborn*; which letter she has either given to the ambassador, or else he had it by his man, to whom Sir *Harry Tichborn* gave it, not finding my Lady *Suffex*. But as yet I do not know which of the ways he had it, but I shall know as soon as I have spoke with Sir *Harry Tichborn*. But the letter he has, and I doubt not but he has or will send it to you. Now all I have to say for myself is, that you know as to love, one is not mistress of ones self, and that you ought not to be offended at me, since all things of this nature is at an end with you and I. So that I could do you no prejudice. Nor will you I hope follow the advice of this ill man who in his heart I know hates you, and were it not for his interest would ruin you to if he could. For he has neither conscience or honor, and has several times told me, that in his heart he despised you and your brother; and that for his part, he wished with all his heart that the parliament would send you both to travel; for you were a dull governable fool, and the duke a wilful fool. So that it were yet better to have you than him, but that you always chose a greater beast than yourself to govern you. And when I was to come over he brought me two letters to bring to you, which he read both to me before he sealed them. The one was a mans, that he said you had great faith in; for that he had at several times foretold things to you that were of consequence (b), and that you believ'd him in all things, like a changeling as you were: And that now he had wrote you word that in a few months the king of *France* and his son were threatned with death, or at least with a great fit of sickness, in which they would

(b) See
Burnet's
Hist. of his
own Times,
vol. i. p.
422.

would be in great danger if they did not die : and that therefore he counsell'd you to defer any resolutions either of war or peace till some months were past ; for that if this happened it would make a great change in *France*. The ambassador after he had read this to me said, " now the good of this is, said he, that I can do " what I will with this man, for he is poor, and a good " sum of money will make him write whatever I will." so he propos'd to me that he and I should join together in the ruin of my lord Treasurer and the Duchess of *Portsmouth*, which might be done thus : The man, though he was infirm and ill, should go into *England*, and there after having been a little time to solicit you for money ; for that you were so base, that though you employed him, you let him starve. So that he was oblig'd to give him 50 £, and that the man had writ several times to you for money. " And, says he, when " he is in *England*, he shall tell the king things that he " foresees will infallibly ruin him ; and so wish those " to be removed, as having an ill star, that would be " unfortunate to you, if they were not removed : " but if that were done, he was confident you would have the most glorious reign that ever was. This, says he, I am sure I can order so as to bring to a good effect, if you will. And in the mean time I will try to get Secretary *Coventrys* place, which he has a mind to part with, but not to Sir *William Temple* ; because he is the Treasurers creature, and he hates the Treasurer, and I have already employ'd my sister to talk with Mr. *Cook*, and to mind him to engage Mr. *Coventry* not to part with it as yet, and he has assur'd my lady *Harvy* he will not. And my lord Treasurers lady and Mr. *Bertee* are both

both of them desirous I should have it. And when I have it I will be damn'd if I do not quickly get to be lord Treasurer; and then you and your children shall find such a friend as never was. And for the king, I will find a way to furnish him so easily with money for his pocket and his wenches, that we will quickly out *Bab. May*, and lead the king by the nose. So when I had heard him out, I told him, I thank'd him, but that I would not meddle with any such thing: and that for my part I had no malice to my lady *Portsmouth*, or to the Treasurer, and therefore would never be in any plot to destroy them. But that I found the character which the world gave of him was true: which was that the Devil was not more designing than he was, and that I wondered at it, for sure all these things working in his brain must make him very uneasy, and would at last make him mad. 'Tis possible you may think I say all this out of malice. 'Tis true he has urged me beyond all patience: but what I tell you here is most true; and I will take the sacrament on it whenever you please. 'Tis certain I would not have been so base as to have informed against him for what he said before me, had he not provoked me to it in this violent way that he has. There is no ill thing which he has not done to me, and that without any provocation of mine, but that I would not love him. Now as to what relates to my daughter *Sussex* and her behaviour to me, I must confess that afflicts me beyond expression, and will do much more, if what he has done be by your orders. For though I have an entire submission to your will, and will not complain whatever you inflict upon me; yet I cannot think you would have brought things to this extremity with me,
and

and not have it in your nature ever to do cruel things to any thing living. I hope therefore you will not begin with me; and if the ambaffador has not received his orders from you, that you will feverely reprehend him for this inhuman proceeding. Befides he has done what you ought to be very angry with him for. For he has been with the King of *France*, and told him that he had intercepted letters of mine by your order; by which he had been informed that there was a kindnefs between me and the Chevalier de *Chatilion*; and therefore you bad him take a courfe in it, and ftop my letters; which accordingly he has done. And that upon this you order'd him to take my children from me and to remove my lady *Suffex* to another monaftery; and that you was refolved to ftop all my penfions, and never to have any regard to me in any thing. And that if he would oblige your majesty, he fhould forbid the Chevalier de *Chatilion* ever feeing me upon the difpleafure of lofing his place, and being forbid the court: for that he was fure you expected this from him. Upon which the king told him, that he could not do any thing of this nature: for that this was a private matter, and not for him to take notice of. And that he could not imagine that you ought to be fo angry, or indeed be at all concerned; for that all the world knew, that now all things of gallantry were at an end with you and I. And that being fo, and fo publick, he did not fee why you fhould be offended at my loving any body. This it was a thing fo common now-a-days to have a gallantry, that he did not wonder at any thing of this nature. And when
he

he saw the king take the thing thus, he told him if he would not be severe with the Chevalier de *Chatilion* upon your account he supposed he would be so upon his own; for that in the letters he had discovered, he found that the Chevalier had proposed to me the engaging of you in the marriage of the Dauphin and Mademoiselle *: and that was my greatest business into *England* †. That before I went over I had spoke to him of the thing, and would have engaged him in it; but that he refused it: for that he knew very well the indifference you had whether it was so or no, and how little you cared how Mademoiselle was married: that since I went into *England* it was possible I might engage somebody or other in this matter to press it to you; but that he knew very well, that in your heart you cared not whether it was or no, that this business setting on foot by the Chevalier. Upon which the king told him, that if he would shew him any letters of the Chevalier de *Chatilion* to that purpose, he should then know what he had to say to him; but that till he saw those letters, he would not punish him without a proof for what he did. Upon which the ambassador shewed a letter, which he pretended one part of it was a double entendre. The king said he could not see that there was any thing relating to it, and so left him, and said to a person there, sure the ambassador was the worst man that ever

* Mademoiselle was the daughter of Philip Duke of Orleans, and Henrietta sister of King Charles II.

† This was Mountague's own proposal, made to the king in his letter to him of Jan. 10th, 1677-8, preserved in the Danby Papers, p. 48.

was ;

was; for because my lady *Cleveland* will not love him, he strives to ruin her the basest in the world; and would have me to sacrifice the Chevalier de *Chatilion* to his revenge; which I shall not do till I see better proofs of his having meddled in the marriage of the Dauphin and Madamoiselle than any yet the ambassador has shewed me. This methinks is what you cannot but be offended at, and I hope you will be offended with him for his holle proceeding to me, and let the world see you will never countenance the actions of so base and ill a man. I had forgot to tell you that he told the king of *France*, that many people had reported, that he had made love to me; but that there was nothing of it; for that he had too much respect for you to think of any such thing. As for my lady *Suffex*, I hope you will think fit to send for her over, for she is now mightily discourfed of for the ambassador. If you will not believe me in this, make enquiry into the thing, and you will find it to be true. I have desired Mr. *Kemble* to give you this letter, and to discourse with you at large upon this matter, to know your resolution, and whether I may expect that justice and goodness from you which all the world does. I promise you that for my conduct, it shall be such, as that you nor nobody shall have occasion to blame me. And I hope you will be just to what you said to me, which was at my house when you told me you had letters of mine; you said, Madam, all that I ask of you for your own sake is, live so for the future as to make the least noise you can, and I care not who you love. Oh! this noise that is had never been, had it not been for the
ambas-

ambassadors malice. I cannot forbear once again saying, I hope you will not gratify his malice in my ruin.

(N. B. *Ann Palmer*, natural daughter by adoption of King *Charles II.* by *Barbara* Duchess of *Cleveland*, was married to *Thomas Lennard* Lord *Dacres*, created Earl of *Suffolk* by King *Charles II.* History of the Royal Family, p. 256. 8vo. *London*, 1713; — and *Wood's Fasti*, vol. II. c. 154.)

F I N I S.



